

प्ररूप 15

[नियम 47 देखिए]

पेंशन के लिए सेवा के सत्यापन के प्रमाणपत्र का प्ररूप

से.
 भारत सरकार

 मंत्रालय
 तारीख.

प्रमाणपत्र

लेखा अधिकारी ने परामर्श करके, यह प्रमाणित किया जाता है कि श्री. पदनाम
 ने तारीख. को नीचे दिए गए व्यौरे के अनुसार.
 वर्ष. मास और. दिन की अर्हक सेवा पूरी कर ली है; सेवा
 का सत्यापन उसकी सेवा के दस्तावेजों के आधार पर और इस समय प्रवृत्त अर्हक सेवा के संबंधित नियमों के अनुसार किया गया
 है। रेल सेवा (पेंशन) नियम, 1993 के नियम 47 के उपनियम (1) और उपनियम (2) के अधीन सेवा का सत्यापन अंतिम मान
 जाएगा और उस पर नए सिरे से तब तक विचार नहीं किया जाएगा जब तक कि उन शर्तों की, जिनके अधीन सेवा पेंशन के लिए
 प्रहित होती है शासित करने वाले नियमों और प्रादेशों में किसी पड़बातवर्ती परिवर्तन के कारण अनिवार्य न हो गया हो।

अर्हक सेवा के व्यौरे

	से	तक
1.		
2.		
3.		

कार्यालय प्रधान के हस्ताक्षर

सेवा में,

श्री.
 (नाम और पदनाम)

प्ररूप 16

[नियम 93, 95(1), (3) (5) और 97(1) (5) देखिए]

जब रेल सेवक की सेवा में रहते हुए मृत्यु हो जाए तब कुटुम्ब पेंशन और मृत्यु तथा सेवानिवृत्ति उद्घाटन निश्चित करने
 और उसका संदाय प्राधिकृत करने के लिए प्ररूप

(यदि संदाय लेखा इकाई के किसी भिन्न सर्किल में किया जाना बांछित हो तो इसे दो प्रतियों में भेजा जाए)

भाग 1

अनुभाग 1

1. मृत रेल सेवक का नाम
 2. पिता का नाम (और यदि रेल सेवक महिला है तो उसके पति का नाम भी)
 3. जन्म तारीख (ईसवी सन् के अनुसार)
 4. मृत्यु की तारीख (ईसवी सन् के अनुसार)
 5. धर्म
- 2770 GI/93—9.

6. वह कार्यालय/विभाग/मंत्रालय जिसमें अंतिम बार नियोजित था
 7. अंतिम धारित नियुक्ति
 - (i) अधिष्ठाया
 - (ii) स्थानापन्न
 8. सेवा प्रारम्भ करने की तारीख
 9. सेवा समाप्त होने की तारीख
 10. (i) सैनिक सेवा की वह कुल अवधि जिसके लिए पेंशन उपदान मंजूर किया गया था; और
 - (ii) सैनिक सेवा के लिए प्राप्त किसी पेंशन उपदान की रकम और उसकी प्रकृति
 11. पूर्व सिविल सेवा के लिए, यदि कोई हो, प्राप्त किसी पेंशन की रकम और उसकी प्रकृति
 12. वह रेल जिसके अधीन सेवा की गई—नियोजन के क्रम में
 13. वह तारीख, जिसको रेल सेवक की मृत्यु के संबंध में सूचना कार्यालय प्रधान को प्राप्त हुई
 14. वह तारीख जिसको :—
 - (i) नियम 92 में यथा उपबंधित मृत्यु तथा सेवानिवृत्ति उपदान और कुटुम्ब पेंशन के लिए दावेदार से समुचित प्ररूप में दावा या दावे अभि-प्राप्त करने,
 - (ii) संपदा निवेशालय से बेबाकी प्रमाणपत्र अभिप्राप्त करने,
 - (iii) रेल वाम-सुविधा के अधिभोग से संबंधित देयों में भिन्न रेल देयों का निर्धारण करने,
 - (iv) नियम 93 और नियम 94 में यथा उपबंधित मृत्यु तथा सेवानिवृत्ति उपदान और कुटुम्ब पेंशन के लिए अर्हक सेवा और उपलब्धियों का निर्धारण करने, की कार्रवाई प्रारम्भ की गई।
 15. क्या मृत्यु तथा सेवानिवृत्ति उपदान के लिए नामनिर्देशन किया गया
 16. मृत्यु तथा सेवानिवृत्ति उपदान/पेंशन के लिए अर्हक सेवा की अवधि
 17. अनर्हक सेवा की अवधि :—
 - (i) नियम 43 के अधीन उपवर्णित सेवा में व्यवधान से तक
 - (ii) ऐसी असाधारण छुट्टी जो पेंशन के लिए अर्हित न करती हो
 - (iii) निषेधन की वह अवधि, जो अनर्हक मानी गई हो
 - (iv) कोई अन्य सेवा, जो अर्हक सेवा नहीं मानी गई हो
- अर्हक सेवा की कुल अवधि
-
18. (क) मृत्यु तथा सेवा निवृत्ति उपदान के लिए संगणित की जाने वाली उपलब्धियां
 - (ख) मृत्यु तथा सेवानिवृत्ति उपदान की रकम
 19. यदि कुटुम्ब पेंशन, 1964 लागू होती है, तो
 - (i) प्रस्तावित कुटुम्ब पेंशन—
 - (क) बड़ी हुई दरों पर [यदि मृत्यु के समय की गई सेवा सात वर्ष से अधिक है जैसा नियम 75(4) में है]

(ख) साधारण दरों पर [जैसा नियम 75(2) में है]

(2) कुटुम्ब पेंशन, 1964 की मान्यता की अवधि :

(क) बड़ी हुई दरे

तारीख से तारीख तक

(ख) साधारण दर

20. वह व्यक्ति, जिसकी कुटुम्ब पेंशन सदेय है

नाम

मृत रेल सेवक के साथ तालेदारी .

पूरा ज्ञापता .

21. उपदान में से वसूली योग्य सरकारी और रेल शोधों के ध्ये—

(i) रेल सरकारी वास्तुविद्या के अधिभोग के लिए अनुसृष्टि फीस

(ii) संपदा निदेशालय इंजीनियरी विभाग में जानकारी प्राप्त होने तक पारित की जाने वाली मृत्यु तथा सेवानिवृत्ति उपदान की रकम

(iii) नियम 98(2) में निर्दिष्ट शोध

22. वह तारीख जिसको दावेदारों से दावे प्राप्त हुए

23. उस संरक्षक का नाम जो अवयवों की दशा में मृत्यु तथा सेवानिवृत्ति उपदान और कुटुम्ब पेंशन का संदाय प्राप्त करेगा।

24. संदाय का स्थान (खजाना, उप-खजाना या पब्लिक सेक्टर बैंक की शाखा या बैंक और लेखा कार्यालय)

25. वह लेखा शीर्ष जिसमें मृत्यु तथा सेवानिवृत्ति उपदान और कुटुम्ब पेंशन विफलनीय है।

स्थान .

कार्यालय प्रधान के हस्ताक्षर

तारीख

अनुभाग 2

नियम 96 के अनुसार कार्यालय के प्रधान द्वारा निकाली जाने वाली और सविनियमित की जास वाला कुटुम्ब पेंशन और उपदान के उपबन्ध के ध्ये—

अनन्तिम कुटुम्ब पेंशन

. रुपए प्रति मास

उपदान [भाग 1 की मद 18(ख) में उल्लिखित रकम]

. . . रुपए प्रति मास

घटाइए—

(क) रेल सरकारों वास्तुविद्या की अधिभोग के लिए उपदान में से वसूली योग्य अनुसृष्टि फीस [जैसा कि कालम 1 की मद 21(i) में है]

. . . रुपए प्रति मास

(ख) संपदा निदेशालय/इंजीनियरी विभाग में जानकारी प्राप्त होने तक पारित की जाने वाली उपदान की रकम (जैसा कि भाग 1 की मद 21 में है)

. रुपए

(ग) भाग 1 की मद 21 (iii) में उल्लिखित अन्य सरकारी शोध

. रुपए

(घ) (क) (ख) और (ग) का योग

. रुपए

स्थान .

कार्यालय प्रधान के हस्ताक्षर

तारीख .

भाग 2

अनुभाग 1

लेखा मुख्यांकन

1. अर्हक सेवा की कुल अवधि जो निम्नलिखित के लिए स्वीकार की गई है—

(i) मृत्यु तथा सेवानिवृत्ति उपदान

(ii) कुटुम्बपेंशन, 1964

2. सरकारी शोध्यों का समायोजन करने के पश्चात् उपदान की शुद्ध रकम

3. कुटुम्ब पेंशन, 1964 की रकम और उगती नान्यता की अवधि यदि मृत्यु—

रकम
रुपए

धार्यत की अवधि
तारीख . . . से . . . तक

(i) सात वर्ष की सेवा के पूर्व हुई है।

(ii) सात वर्ष की सेवा के पश्चात् हुई है।

4. वह तारीख जिससे कुटुम्ब पेंशन अनुज्ञेय है।

5. वह लेखा शीर्ष, जिसमें मृत्यु तथा सेवानिवृत्ति उपदान और कुटुम्ब पेंशन प्रभावं हैं।

अनुभाग 2

1. मृत रेल सेवक का नाम

2. रेल सेवक की मृत्यु की तारीख

3. वह तारीख, जिसको पेंशन के कागजपत्र लेखा अधिकारी द्वारा प्राप्त किए गए

4. प्राधिकृत कुटुम्ब पेंशन की रकम

5. प्राधिकृत उपदान की रकम

6. कुटुम्ब पेंशन के प्रारम्भ की तारीख

7. वह तारीख जिसको कुटुम्ब पेंशन और उपदान का संवाय प्राधिकृत किया गया

8. उपदान से वसूली योग्य रकम

9. बेबाकी प्रमाणपत्र प्राप्त होने तक धारित की गई उपदान की रकम

स्थान :

लेखा अधिकारी

तारीख :

प्रारूप 17

[नियम 95 (1) देखिए]

लेखा अधिकारी को, ऐसे रेल सेवक के, जिसकी सेवा में रहते हुए मृत्यु हो जाती है, कुटुम्ब को कुटुम्ब पेंशन और मृत्यु तथा सेवानिवृत्ति उपदान के अनुदान के लिए कागजपत्र अर्पित करने वाला पत्र का प्रारूप

संख्यांक _____

कार्यालय

स्थान _____

तारीख _____

सेवा में,

वेतन और सेवा अधिकारी/वित्त सलाहकार
और मुख्य सेवा अधिकारी

विषय :—कुटुम्ब पेंशन और मृत्यु तथा सेवानिवृत्ति उपदान का अनुदान।

महोदय,

मुझे यह कहने का निदेश हुआ है कि श्री _____ (पदनाम) _____ की तारीख _____ को मृत्यु हो गई। उसका कुटुम्ब

कुटुम्ब पेंशन और मृत्यु तथा सेवानिवृत्ति उपदान के अनुदान के लिए पाल हो गया है। सम्यक् रूप से पूरा किया गया प्रारूप 16 आगे आवश्यक कार्रवाई के लिए इसके साथ भेजा जा रहा है।

2 मृत रेल सेक्टर की दावत रेल शोध प्रारूप 16 के भाग 1 के अनुभाग 2 में जथा उपदर्शित मृत्यु तथा सेवानिवृत्ति उपदान में से वसूल किए जाएंगे।

3. आपका ध्यान इसके साथ भेजी जा रही सलग्नकों की सूची की ओर आकृष्ट किया जाता है।

4 इस पत्र की प्राप्त अनिस्वीकार की जाए और इस कार्यालय को सूचित किया जाए कि कुटुम्ब पेंशन और मृत्यु तथा सेवानिवृत्ति उपदान के परिवर्तन के लिए आवश्यक प्रवेश सत्र से संबंधित प्राधिकारी को जारी कर दिए गए हैं।

भवदीय,
कार्यालय प्रधान

सलग्नकों की सूची

1. सम्यक् रूप से सम्पूरित प्रारूप 16
2. सेवा पुस्तिका भवा (पुस्तिका में मृत्यु की तारीख उपदर्शित की जाए)।
3. दावेदार या संरक्षक के सम्यक् रूप से अनुप्रमाणित दो तमूने उम्ताक्षर या बाए हाथ के अंगूठे और अंगुलियों के निशान।
4. दावेदार या संरक्षक के सम्यक् रूप से पासपोर्ट आकार के फोटो की अनुप्रमाणित दो प्रतियां।
5. दावेदार या संरक्षक का सम्यक् रूप से अनुप्रमाणित तबाई और आंतरिक चिह्न उपदर्शित करने वाले वर्णन पालिका की दो प्रतियां।
6. दावेदार या संरक्षक का डाक पता।

प्रारूप 18

[नियम 100 (2) (ख) (ii) देखिए]

ऐसे सेवानिवृत्त रेल मंत्री के, जिसकी मृत्यु सेवानिवृत्ति के पश्चात् हो जाती है किन्तु उसकी/उसका कोई विधवा या विधुर नहीं है, नवान या नवानों को कुटुम्ब पेंशन, 1961 मंत्र करने वाले पत्र का प्रारूप।

म _____

कार्यालय _____

स्थान _____

तारीख _____

सेवा में,

वित्त सहायकार और मुखा लेखा अधिकारी

बेतन और लेखा अधिकारी,

विषय —सतान/संतानों की कुटुम्ब पेंशन, 1964 का अनुदान

महोदय,

मुझे यह कड़ने का निर्देश हुआ है कि इस विभाग के/को श्री/श्रीमती _____ सतपूव
_____ (पदनाम) का उसकी गवा में निवृत्त होने पर तारीख _____ से _____
_____ रूप से पेंशन प्राधिकृत की गई थी।

2. इस विभाग में यह सूचना प्राप्त हुई है कि श्री/श्रीमती _____ श्री तारीख _____
_____ का मृत्यु हो गई और मृत्यु के समय उसकी/उसका कोई विधवा/विधुर नहीं थी/था किन्तु निम्नलिखित
संतान जीवित थी* —

1.

2.

3.

4.

5.

6.

3. रेल सेवा (पेंशन) नियम, 1993 के नियम 75 के निबन्धनों के अनुसार, कुटुम्ब पेंशन, 1964 की रकम ऊपर
वर्णित क्रम में संतानों को लदेय हो गई है। कुटुम्ब पेंशन, 1964 अवयव की ओर से श्री/श्रीमती _____
_____ का, जो संरक्षक है, लदेय होगी।

4. ऊपर वर्णित संतानों की _____ रूप से प्रति मास की कुटुम्ब पेंशन, 1964 के अनुदान
की मजूरी दी जानी है। कुटुम्ब पेंशन, 1964 तारीख _____ से प्रभावी होगी और रेल सेवा (पेंशन)
नियम, 1993 के नियम 75 के उपनियम (5) के उपबंधों के अधीन रहने हुए, तारीख _____ तक मान्य
होगी।

5. सलमनका की सूची में दी गई जानकारी की ओर ध्यान आकृष्ट किया जाता है।

6. कृपया इस पत्र की प्राप्ति अभिग्राहक की जाए और इस कार्यालय को सूचित किया जाए कि संरक्षक को
कुटुम्ब पेंशन, 1964 के मसाले के लिए अनुदेश सबद्ध सश्रितक प्राधिकारी को जारी कर दिए गए हैं।

भवदीय

कार्यालय प्रधान

संलग्नकों की सूची

- 1 संरक्षक का स्थायी पता ।
 - 2 संदाय का स्थान (सरकारी खजाना, उप-खजाना या पब्लिक सेक्टर बैंक की शाखा या बचत और लेखा कार्यालय) ।
 - 3 दावेदार या संरक्षक के सम्यक् रूप से अनुप्रमाणित नमूना हस्ताक्षर या **श्राव्य हस्ताक्षर के निशान की प्रतियों के निशान ।
 - 4 संरक्षक के पासपोर्ट आकार के फोटो की दो अनुप्रमाणित प्रतियां ।
 - 5 संरक्षक की सम्यक् रूप से अनुप्रमाणित वर्णन पत्रिका ।
- *संतानों के नाम रेल सेवा (पेशन) नियम, 1991 के नियम 73(1) के तहत पाना के क्रम में उल्लिखित किए जाने चाहिए ।
- **उस दशा में दिए जाएं जब संरक्षक इतना साक्षर न हों कि वह अपने नाम के हस्ताक्षर कर सकें ।

प्रारूप 19

[नियम 100 (2) (ग) (IV) देखिए]

किमी विधवा/विधुर की, जो कुटुम्ब पेंशन, 1964 प्राप्त कर रही थी/रहा था, मृत्यु या पुनर्विवाह होने पर संतान/संतानों को कुटुम्ब पेंशन मंजूर करने वाला पत्र का प्रारूप ।

सं. _____

_____ कार्यालय

स्थान-_____

तारीख-_____

सेवा में,

वित्त सलाहकार और मुख्य लेखा अधिकारी/
वेतन और लेखा अधिकारी

विषय :—संतान/संतानों को कुटुम्ब पेंशन का अनुदान ।

महोदय,

मुझे यह कहने का निदेश हुआ है कि इस कार्यालय के/की स्वर्गीय श्री/श्रीमती _____ भूतपूर्व
_____ (पदनाम), की/के विधवा/विधुर श्रीमती/श्री _____
को तारीख _____ से _____ की कुटुम्ब पेंशन, 1964 का संदाय प्राधिकृत किया गया था । कुटुम्ब पेंशन, 1964 विधवा/विधुर की मृत्यु या पुनर्विवाह तक मान्य थी ।

2. इस कार्यालय में यह सूचना प्राप्त हुई है कि श्री/श्रीमती _____ की/का
तारीख _____ की मृत्यु हुई/पुनर्विवाह हो गया ।

3. मृत्यु/पुनर्विवाह के समय श्री/श्रीमती _____ के निम्नलिखित संतान*
थी :—

क्रम सं.	नाम	पुत्र/पुत्री	ऐसवी सन् के अनुसार जन्म तारीख	किम तारीख से कुटुम्ब पेंशन संदेय गर्हा रह गई है।
1.				
2.				
3.				
4.				
5.				
6.				

*संतानों के नाम रेल सेवा (पेंशन) नियम, 1993 के नियम 75 में वर्णित पात्रता-क्रम में उल्लिखित किए जाने चाहिए।

4. रेल सेवा (पेंशन) नियम, 1993 के नियम 75 के निर्बंधनों के अनुसार, कुटुम्ब पेंशन, 1964 की रकम ऊपर वर्णित क्रम में संतानों को संदेय हो गई है। कुटुम्ब पेंशन, 1964 अवयवकों की ओर से श्री/श्रीमती—
को, जो संरक्षक है, संदेय होगी।

5. ऊपर वर्णित संतानों को ————— र. प्रतिभास को कुटुम्ब पेंशन, 1964 के अनुदान की मंजूरी दी जाती है। कुटुम्ब पेंशन, 1964 तारीख ————— ने प्रभावी होगी और रेल सेवा (पेंशन) नियम, 1993 के नियम 75 के उपनिषम (5) के उपबंधों के अधीन रहते हुए तारीख ————— तक मान्य होगी।

6. संलग्नकों की सूची में दी गई जानकारी की ओर ध्यान आकृष्ट किया जाता है।

7. कृपया इस पत्र की प्राप्ति अभिस्वीकार की जाए और इस कार्यालय को सूचित किया जाए कि संरक्षक को कुटुम्ब पेंशन, 1964 के संदाय के लिए, आवश्यक अनुदेश सम्बद्ध संवितरक अधिकारी को जारी कर दिए गए हैं।

भवदीय,
कार्यालय प्रधान

संलग्नकों की सूची

1. संरक्षक का स्थायी पता।
2. संदाय का स्थान (सरकारी खजाना, उप-खजाना, पब्लिक सेक्टर बैंक की शाखा, वेतन और सेवा अधिकारी या डाकघर)।
3. संरक्षक के सम्यक् रूप से अनुप्रमाणित नमूना हस्ताक्षर या **बाएँ हाथ के अंगूठे और अंगुलियों के निशान।
4. संरक्षक के पासपोर्ट आकार के फोटो की दो अनुप्रमाणित प्रतियां।
5. संरक्षक की सम्यक् रूप से अनुप्रमाणित तालिका।

**उक्त दशा में दिए जाएं जब संरक्षक इतना साक्षर न हो कि वह अपने नाम के हस्ताक्षर कर सके।

प्ररूप 20

[नियम 100(3) देखिए]

पेंशनभोगी की मृत्यु पर अवशिष्ट उपदान के अनुदान के लिए आवेदन का प्ररूप।

(प्रत्येक आवेदक द्वारा अलग-अलग भरा जाए)

1. आवेदक का नाम

2. (i) यदि आवेदक अवयस्क है तो संरक्षक का नाम
(ii) संरक्षक की जन्म-तारीख
3. मृत पेंशनभोगी का नाम
4. कार्यालय/विभाग/मंत्रालय, जिसमें मृत पेंशनभोगी ने अंतिम बार सेवा की थी।
5. पेंशनभोगी की मृत्यु की तारीख।
6. मृत पेंशनभोगी की सेवानिवृत्ति की तारीख
7. मृत पेंशनभोगी को मंजूर की गई मासिक**पेंशन की रकम (जिसके अंतर्गत तदर्थ वृद्धि, यदि कोई है, भी है)
8. मृत पेंशनभोगी द्वारा प्राप्त की गई मृत्यु तथा सेवा निवृत्ति उपदान की रकम
9. मृतक द्वारा मृत्यु की तारीख तक ली गई**पेंशन की रकम (जिसके अंतर्गत तदर्थ वृद्धि, यदि कोई है, भी है)
10. यदि मृतक ने अपनी मृत्यु से पूर्व पेंशन का कोई भाग संराशित कराया था तो पेंशन का संराशित मूल्य।
11. मद 8, 9 और 10 का योग।
12. उपलब्धियों के बारह गुने के बराबर मृत्यु-तथा सेवानिवृत्ति उपदान की रकम।
13. दावाकृत अवशिष्ट उपदान की रकम, अर्थात् मद सं. 12 और मद सं. 11 के सामने दर्शाई गई रकमों के बीच अंतर
14. आवेदक की मृत पेंशनभोगी के साथ नातेदारी।
15. आवेदक की जन्म-तारीख
16. उस खजाने या उपखजाने का नाम, जहां से संदाय वांछित है।
17. आवेदक का पूरा पता।
18. आवेदक के हस्ताक्षर या अंगूठे का निशान (सम्यक् रूप से अनुप्रमाणित पृथक् पन्ने पर भेजा जाए***)।
19. निम्नलिखित द्वारा अनुप्रमाणित—

नाम

पूरा पता

हस्ताक्षर

(1)

(2)

20. साक्षी

(1)

(2)

* यदि सेवा उपदान या पेंशन प्राप्त कर रहे किसी सेवानिवृत्त रेल सेवक की, उसकी सेवानिवृत्ति की, जिसके अंतर्गत शास्ति के रूप में अनिवार्य सेवानिवृत्ति भी है, तारीख से पांच वर्ष के भीतर मृत्यु हो जाती है और ऐसे उपदान या पेंशन मद्धे, जिसके अंतर्गत वृद्धि, यदि कोई हो, भी है, अपनी मृत्यु के समय उसके द्वारा वस्तुतः प्राप्त राशि और इसके साथ ही मृत्यु तथा सेवा-निवृत्ति उपदान और उसके द्वारा संराशित पेंशन के किसी भाग का संराशित मृत्यु, उसकी उपलब्धियों के बारह गुने के बराबर रकम से कम है, तो कमी के बराबर का अवशिष्ट उपदान कुटुंब को संदेय हो जाता है।

** जब कोई रेल सेवक पेंशन उपाजित करने से पूर्व सेवानिवृत्त हो गया हो तब सेवा उपदान की रकम उपराशित की जानी चाहिए।

*** अनुप्रमाणन को राजपत्रित सरकारी सेवकों द्वारा या उस नगर, ग्राम या परगना के, जिसमें आवेदक निवास करता है, दो या अधिक प्रतिष्ठित व्यक्तियों द्वारा किया जाना चाहिए।

अनुक्रमणिका

भाग 2

रेल सेवक (पेंशन संराशीकरण) नियम, 1993

अध्याय 1

नियम 1—संक्षिप्त नाम और प्रारम्भ

नियम 2—लागू होना

नियम 3—परिभाषाएं

अध्याय 2

साधारण शर्तें

नियम 4—शक्तियों का प्रयोग

नियम 5—पेंशन के संराशीकरण पर निबंधन

नियम 6—पेंशन के संराशीकरण की सीमा

नियम 7—पेंशन के संराशीकरण का अंतिम होना

नियम 8—नामनिर्देशन

नियम 9—पेंशन के संराशीकृत मूल्य की गणना

नियम 10—अनन्तिम पेंशन का संराशीकरण

नियम 11—अंतिम पेंशन का भूतलक्षी पुनरीक्षण ।

अध्याय 3

स्वास्थ्य परीक्षा के बिना पेंशन का संराशीकरण

नियम 12—विस्तार

नियम 13—पात्रता

नियम 14—पेंशन के संराशीकरण के लिए आवेदन

नियम 15—पेंशन के संराशीकरण के लिए आवेदन पर कार्यालय प्रधान द्वारा की जाने वाली कार्रवाई

नियम 16—लेखा अधिकारी द्वारा संराशीकृत मूल्य का प्राधिकरण

नियम 17—अनन्तिम पेंशन के भाग के संराशीकृत मूल्य का प्राधिकरण

अध्याय 4

स्वास्थ्य परीक्षा के पश्चात् पेंशन का संराशीकरण

नियम 18—विस्तार

नियम 19—पात्रता

नियम 20—पेंशन के संराशीकरण के लिए आवेदन

नियम 21—पेंशन के संराशीकरण के लिए आवेदन पर कार्यालय प्रधान द्वारा की जाने वाली कार्रवाई

नियम 22—मुख्य चिकित्सा प्राधिकारी द्वारा की जाने वाली कार्रवाई

नियम 23—चिकित्सा प्राधिकारी

नियम 24—स्वास्थ्य परीक्षा की फीस का आवेदक द्वारा वहन किया जाना

नियम 25—चिकित्सा प्राधिकारी के समक्ष उपस्थित होने में असफलता

नियम 26—स्वास्थ्य परीक्षा के लिए प्रक्रिया

नियम 27—द्वितीय स्वास्थ्य परीक्षा

नियम 28—चिकित्सा प्राधिकारी के निष्कर्षों के विरुद्ध अपील

नियम 29—आवेदन का वापस लिया जाना

नियम 30—सारणी में विनिर्दिष्ट मूल्य में उपांतरण

नियम 31—लेखा अधिकारी द्वारा संराशीकृत मूल्य के संवाय का प्राधिकरण

नियम 32—अनन्तिम पेंशन का अंतिम निर्धारण

अध्याय 5

नियम 33—निर्वचन

नियम 34—शिथिल करने की शक्ति

नियम 35—निरसन और व्यावृत्ति

राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाते हैं, अर्थात् :—

अध्याय 1

प्रारंभिक

1. संक्षिप्त नाम और प्रारम्भ :—(1) इन नियमों का संक्षिप्त नाम रेल सेवा (पेंशन संराशीकरण) नियम, 1993 है ।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे ।

2. लागू होना :—ये नियम ऐसे रेल सेवकों को लागू होंगे जो रेल पेंशन नियम के अध्याय 5 में विनिर्दिष्ट किसी वर्ग की पेंशन के लिए हकदार हैं या जिन्हें उसके लिए प्राधिकृत किया गया है ।

3. परिभाषाएं :—(1) इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो, —

(क) “आवेदक” से अभिप्रेत है ऐसा रेल सेवक, जिसके अन्तर्गत सेवानिवृत्त रेल सेवक भी है, प्ररूप 1 से 3 में से किसी एक प्ररूप में, जो आवेदक के मामले को लागू हों, पेंशन के किसी भाग के संराशीकरण के लिए आवेदन करता है;

(ख) “मुख्य चिकित्सा प्राधिकारी” से अभिप्रेत है रेलों के, यथास्थिति, मुख्य चिकित्सा अधिकारी, मुख्य अस्पताल

अधीक्षक, चिकित्सा अधीक्षक या प्रभागीय चिकित्सा अधिकारी और केन्द्रीय सरकार स्वास्थ्य स्कीम के अन्तर्गत आने वाले रेल बोर्ड के कर्मचारिवृन्द के लिए केन्द्रीय स्थायी चिकित्सा बोर्ड, डा० राम मनोहर लोहिया अस्पताल या सफदरजंग अस्पताल, नई दिल्ली, का अध्यक्ष;

(ग) "सेवानिवृत्ति उपदान" से रेल (पेंशन) नियम के नियम 70 के उपनियम (1) के अधीन संदेय उपदान अभिप्रेत है;

(घ) "संवितरक प्राधिकारी" से अभिप्रेत है—

- (i) किसी राष्ट्रीयकृत बैंक की शाखा; या
- (ii) खजाना, जिसके अन्तर्गत उपखजाना भी है; या
- (iii) लेखा अधिकारी; या
- (iv) डाकघर की शाखा,

जहां से आवेदक रेल पेंशन नियम के अधीन प्राधिकृत पेंशन प्राप्त कर रहा है;

(ङ) "प्ररूप" से इन नियमों में संलग्न प्ररूप अभिप्रेत है;

(च) "कार्यालय प्रधान" से रेल पेंशन नियम के नियम 3 के खंड (15) में निर्दिष्ट राजपत्रित अधिकारी अभिप्रेत है;

(छ) "चिकित्सा प्राधिकारी" से नियम 23 में निर्दिष्ट चिकित्सा प्राधिकारी अभिप्रेत है;

(ज) "पेंशन" से रेल पेंशन नियम के अध्याय 5 में निर्दिष्ट किसी वर्ग की पेंशन, जिसके अन्तर्गत अनुकम्पा भत्ता भी है, अभिप्रेत है, किन्तु इसके अन्तर्गत रेल द्वारा किसी पेंशनभोगी को उच्चतर निर्वाह-व्यय के लिए प्रतिकर के रूप में अनुदत्त अतिरिक्त पेंशन और रकम, चाहे किसी भी नाम से ज्ञात हो, नहीं है;

(झ) "अन्तिम पेंशन" से रेल पेंशन नियम के, यथास्थिति, नियम 10 या नियम 9 में निर्दिष्ट पेंशन अभिप्रेत है;

(ञ) "रेल पेंशन नियम" से रेल सेवा (पेंशन) नियम, 1993 अभिप्रेत है।

(ट) "सारणी" से इन नियमों के परिशिष्ट में दी गई सारणी अभिप्रेत है।

(2) उन शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं किन्तु परिभाषित नहीं हैं, वही अर्थ होंगे जो रेल सेवा (पेंशन) नियम में हैं।

अध्याय 2

साधारण शर्तें

4. शक्तियों का प्रयोग :—इन नियमों द्वारा प्रदत्त शक्तियों का प्रयोग रेल पेंशन नियम के नियम 89 में

यथा विनिर्दिष्ट रेल सेवक को पेंशन संबंधी फायदे मंजूर करने के लिए सक्षम प्राधिकारियों द्वारा किया जाएगा।

5. पेंशन के संराशीकरण पर निर्बंधन :—ऐसा रेल सेवक, जिसके विरुद्ध रेल पेंशन नियम के नियम 9 में यथा-निर्दिष्ट विभागीय या न्यायिक कार्यवाहियां उसकी सेवानिवृत्ति की तारीख से पूर्व संस्थित की गई हैं, या ऐसा पेंशनभोगी, जिसके विरुद्ध ऐसी कार्यवाहियां उसकी सेवानिवृत्ति की तारीख के पश्चात् संस्थित की जाती हैं, ऐसी कार्यवाहियों के लंबित रहने के दौरान, यथास्थिति, रेल पेंशन नियम के नियम 10 के अधीन प्राधिकृत अपनी अनन्तिम पेंशन या पेंशन के किसी भाग को संराशीकृत करने का पात्र नहीं होगा।

6. पेंशन के संराशीकरण की सीमा—

(1) इन नियमों के उपबंधों के अधीन रहते हुए, रेल सेवक अपनी पेंशन के एक-तिहाई से अधिक भाग को एक-मुश्त संदाय के लिए संराशीकृत करने का हकदार होगा।

(2) आवेदक यथास्थिति, प्ररूप 1, प्ररूप 2 या प्ररूप 3 में संराशीकरण के लिए आवेदन में पेंशन का वह भाग उपदर्शित करेगा जिसे वह संराशीकृत करना चाहता है और पेंशन के एक तिहाई की अधिकतम सीमा या ऐसी निम्नतर सीमा, जिसे वह संराशीकृत करना चाहता है, उपदर्शित करेगा।

(3) यदि संराशीकृत की जाने वाली पेंशन का भाग रुपए के किसी भाग में आता है तो संराशीकरण के प्रयोजन के लिए रुपए के ऐसे भाग को छोड़ दिया जाएगा।

7. पेंशन के संराशीकरण का अंतिम होना—

(1) पेंशन का संराशीकरण,—

(i) नियम 14 के उपनियम (1) में निर्दिष्ट आवेदक की दशा में, उस तारीख को अन्तिम हो जाएगा जिस तारीख को प्ररूप 1 में आवेदन कार्यालय प्रधान को प्राप्त होता है;

(ii) नियम 14 के उपनियम (3) में निर्दिष्ट आवेदक की दशा में, आवेदक की सेवानिवृत्ति की तारीख से अगली तारीख को अन्तिम हो जाएगा;

(iii) अध्याय 4 में निर्दिष्ट आवेदक की दशा में, उस तारीख को अन्तिम हो जाएगा जिस तारीख को चिकित्सा प्राधिकारी प्ररूप 5 के भाग 3 में स्वास्थ्य रिपोर्ट पर हस्ताक्षर करता है;

परन्तु—

(क) ऐसे आवेदक की दशा में, जो किसी खजाना या लेखा अधिकारी से अपनी पेंशन ले रहा है, संराशीकरण के कारण पेंशन की रकम में कमी, पेंशन का संराशीकृत मूल्य प्राप्त होने की तारीख से या लेखा अधिकारी द्वारा पेंशन के संराशीकृत मूल्य के संदाय के लिए प्राधिकार पत्र जारी

किए जाने के पश्चात् तीन मास के अंत से, जो भी पूर्वतर हो, प्रवर्तित होगी;

(ख) ऐसे आवेदक की दशा में, जो किसी राष्ट्रीयकृत बैंक की शाखा या डाकघर से पेंशन ले रहा है, संराशीकरण के कारण पेंशन की रकम में कमी उस तारीख से प्रवर्तित होगी जिस तारीख को पेंशन का संराशीकृत मूल्य बैंक द्वारा आवेदक के उस खाते में जमा किया जाता है, जिसमें पेंशन जमा की जाती है; और

(ग) नियम 14 के उपनियम (3) द्वारा शामिल ऐसे आवेदक की दशा में, जिसके मामले में पेंशन का संराशीकृत मूल्य उसकी सेवानिवृत्ति की तारीख से अगले दिन संवेद्य हो जाता है, संराशीकरण के कारण पेंशन की रकम में कमी उसके प्रारम्भ से प्रवर्तित होगी। जहां पेंशन के संराशीकृत मूल्य का संदाय, सेवानिवृत्ति की तारीख के पश्चात् पहले मास के भीतर नहीं किया जा सका, वहां सेवानिवृत्ति की तारीख से अगले दिन और उस तारीख से, जिसको पेंशन का संराशीकृत मूल्य केन्द्रीय सरकार लेखा (प्राप्ति और संदाय) नियम, 1983 के नियम 49 के निबंधनों के अनुसार संवत्त किया गया समझा गया है, पूर्ववर्ती तारीख के बीच की अवधि के लिए मासिक पेंशन में अंतर लेखा अधिकारी द्वारा प्राधिकृत किया जाएगा।

(2) नियम 10 या नियम 11 में निर्दिष्ट आवेदक की दशा में, संराशीकृत मूल्य का संदाय दो प्रक्रमों पर किया जाएगा। पेंशन की रकम में कमी, उपनियम (1) के परन्तुक के खंड (क) या खंड (ख) में यथा-अधिकथित संदायों की संबंधित तारीखों से की जाएगी।

(3) वह तारीख, जिसको पेंशन के संराशीकृत मूल्य का संदाय आवेदक को किया गया था या संराशीकृत मूल्य आवेदक के खाते में जमा किया गया था, संवितरक प्राधिकारी द्वारा पेंशन संदाय आदेश के दोनों अर्धभागों पर प्रविष्ट की जाएगी। और इसकी सूचना उस लेखा अधिकारी को दी जाएगी जिसने पेंशन के संराशीकृत मूल्य का संदाय प्राधिकृत किया था।

8. नामनिर्देशन :—(1) आवेदक, यथास्थिति, नियम 14 या नियम 20 में निर्दिष्ट आवेदन के साथ प्ररूप 6 में एक नामनिर्देशन करेगा जिसमें, उस तारीख को या उसके पश्चात् जिसको संराशीकरण अन्तिम हो गया था, संराशीकृत मूल्य प्राप्त किए बिना आवेदक की मृत्यु हो जाने की दशा में पेंशन का संराशीकृत मूल्य प्राप्त करने का अधिकार किसी एक व्यक्ति या अधिक व्यक्तियों को प्रदत्त किया जाएगा।

(2) यदि ऐसा कोई नामनिर्देशन नहीं है या यदि नामनिर्देशन अस्तित्व में नहीं है, तो संराशीकृत मूल्य कुटुम्ब को रेल पेंशन नियम के नियम 71 के उपनियम (1) के खंड (ख) में उपर्युक्त रीति से संदत्त किया जाएगा।

(3) यदि किसी मामले में संराशीकृत मूल्य का संदाय उपनियम (1) और उपनियम (2) में उपर्युक्त रीति से

नहीं किया जा सकता है, तो उसका संदाय उसके वारिसों को किया जाएगा।

9. पेंशन के संराशीकृत मूल्य की गणना—

किसी आवेदक को संवेद्य एकमुष्ट रकम की गणना, उस तारीख को, जिसको संराशीकरण अन्तिम हो जाता है, आवेदक को लागू परिशिष्ट में दी गई मूल्यों की सारणी के अनुसार की जाएगी।

10. अनन्तिम पेंशन का संराशीकरण :—

(1) ऐसा रेल सेवक, जिसे अन्तिम पेंशन का निर्धारण लंबित रहने तक रेल पेंशन नियम के नियम 91 के अधीन अनन्तिम पेंशन मंजूर की गई है, नियम 6 में विनिर्दिष्ट सीमा के अधीन रहते हुए, ऐसी अनन्तिम पेंशन के एक भाग को संराशीकृत करने का पात्र होगा।

(3) अनन्तिम पेंशन के संराशीकरण के प्रयोजन के लिए, यथास्थिति, अध्याय 3 या अध्याय 4 के उपबन्ध लागू होंगे।

(3) इस उपनियम के उपबन्ध ऐसे आवेदक को लागू होंगे जो अनन्तिम पेंशन के संराशीकरण के प्रयोजन के लिए अध्याय 4 से शामिल हैं :—

(i) जहां कोई आवेदक अपनी अनन्तिम पेंशन के ऐसे भाग को संराशीकृत करना चाहता है जो गणना में एक सौ रुपए प्रतिमास से अधिक नहीं है और उस आवेदक के मामले में यह प्रत्याशा है कि वह रकम, जो वह तब संराशीकृत करने का हकदार होता जब पेंशन की अन्तिम रकम प्राधिकृत कर दी जाती, एक सौ रुपए प्रतिमास से अधिक होती वहां उसका आवेदन, नियम 23 के प्रयोजन के लिए, एक सौ रुपए प्रतिमास से अधिक रकम के संराशीकरण के लिए किया गया आवेदन समझा जाएगा।

(ii)(क) जहां आवेदक यह उपर्युक्त नहीं करता है कि उसे संवेद्य अन्तिम पेंशन के अवधारण पर वह एक सौ रुपए प्रतिमास से अधिक पेंशन के संराशीकरण का हकदार हो सकता है, वहां ऐसा माना जाएगा कि उसने एक सौ रुपए से अनधिक प्रतिमास पेंशन के संराशीकरण के लिए आवेदन किया है।

(ख) यदि आवेदक, अन्तिम पेंशन के अवधारण पर, एक सौ रुपए प्रतिमास तक अपनी पेंशन संराशीकृत करने का हकदार हो जाता है तो उससे मूलतः संराशीकृत पेंशन और तदन्तर संराशीकृत पेंशन के संराशीकृत मूल्य के अन्तर के उसको संदाय के लिए स्वास्थ्य परीक्षा कराने की अपेक्षा नहीं की जाएगी।

(ग) यदि आवेदक, अन्तिम पेंशन के अवधारण पर, एक सौ रुपए से अधिक रकम को संराशीकृत करने का हकदार हो जाता है, तो उससे, एक सौ रुपए से अधिक पेंशन के संराशीकरण के लिए प्ररूप 2 में नए सिरे से आवेदन करने की अपेक्षा की जाएगी।

11. अंतिम पेंशन का भूतलक्षी पुनरीक्षण :—ऐसे आवेदक को, जिसने अपनी अंतिम पेंशन के किसी भाग को संराशीकृत किया है और संराशीकरण के पश्चात् उसकी पेंशन रेल बोर्ड के विनिश्चय के परिणामस्वरूप भूतलक्षी प्रभाव से पुनरीक्षित की गई है और बढ़ा दी गई है, बढ़ी हुई पेंशन के प्रति निर्देश से अवधारित संराशीकृत मूल्य और पहले से प्राधिकृत संराशीकृत मूल्य के अन्तर का संदाय किया जाएगा। अन्तर के संदाय के लिए आवेदक से नए सिरे से आवेदन करने की अपेक्षा नहीं की जाएगी।

परन्तु ऐसे आवेदक की दशा में, जिसने किसी सिविल सर्जन या किसी जिला चिकित्सा अधिकारी द्वारा आरोग्य घोषित किए जाने के पश्चात् अपनी मूल पेंशन के एक सौ रुपए से अधिक भाग को संराशीकृत किया है और जो पेंशन की भूतलक्षी प्रभाव से वृद्धि के परिणामस्वरूप एक सौ रुपए प्रतिमास से अधिक की रकम को संराशीकृत करने का पात्र हो जाता है, एक सौ रुपए प्रतिमास के संराशीकृत मूल्य और मूल पेंशन के भाग के संराशीकृत मूल्य के अन्तर का संदाय, स्वास्थ्य की पुनः परीक्षा कराए बिना अनुज्ञात किया जाएगा। एक सौ रुपए प्रतिमास के आगे किसी और रकम का संराशीकरण नया संराशीकरण माना जाएगा और चिकित्सा बोर्ड द्वारा परीक्षा के पश्चात् ही अनुज्ञात किया जाएगा।

अध्याय 3

स्वास्थ्य परीक्षा के बिना पेंशन का संराशीकरण

12. विस्तार :—इस अध्याय के उपबन्ध ऐसे आवेदक को लागू होंगे जो स्वास्थ्य परीक्षा के बिना अपनी पेंशन के किसी भाग को संराशीकृत करने का पात्र हैं।

13. पावता :—ऐसा आवेदक, जो निम्नलिखित के लिए प्राधिकृत है, अर्थात् :—

- (i) रेल पेंशन नियम के नियम 51 के अधीन अधिवर्षिता पेंशन; या
- (ii) रेल पेंशन नियम के नियम 52 के अधीन सेवानिवृत्ति पेंशन; या
- (iii) रेल पेंशन नियम के नियम 53 के निबन्धनों के अनुसार किसी निगम या कम्पनी या निकाय में या उसके अधीन आमेलन पर पेंशन और जिसने मासिक पेंशन और मृत्यु तथा सेवानिवृत्ति उपदान लेने का चयन किया है; या
- (iv) स्थायी पद के उत्पादन पर रेल पेंशन नियम के नियम 63 के अधीन प्रतिकर पेंशन; या
- (v) रेल पेंशन नियम के नियम 9 में निर्दिष्ट विभागीय या न्यायिक कार्यवाही की समाप्ति पर और उसकी बाबत अंतिम आदेश जारी किए जाने पर पूर्ण पेंशन या पेंशन का कोई भाग नियम 6 में की सीमा के अधीन रहने हुए, स्वास्थ्य परीक्षा के बिना अपनी पेंशन के भाग को संराशीकृत करने का पात्र होगा :

परन्तु यह तब जब कि वह नियम 14 के उपबन्धों के अनुसार प्ररूप 1 या प्ररूप 2 में पेंशन के संराशीकरण के लिए आवेदन करता है।

टिप्पण :—खण्ड (i), खंड (ii) और खंड (iv) में निर्दिष्ट पेंशन के अन्तर्गत रेल पेंशन नियम के नियम 91 के अधीन मंजूर की गई अनन्तिम पेंशन भी है।

14. पेंशन के संराशीकरण के लिए आवेदन :—(1) वह आवेदक, जो नियम 13 में निर्दिष्ट कोई पेंशन पा रहा है और अपनी सेवानिवृत्ति की तारीख से अगली तारीख के पश्चात् किन्तु सेवानिवृत्ति की तारीख से एक वर्ष की समाप्ति के पूर्व किसी भी समय उस पेंशन के किसी भाग को संराशीकृत करना चाहता है :—

(क) अपनी सेवानिवृत्ति की तारीख के पश्चात् कार्यालय प्रधान को प्ररूप 1 में आवेदन करेगा;

(ख) यह सुनिश्चित करेगा कि प्ररूप 1 में सम्यक् रूप से पूरा किया गया आवेदन, कार्यालय प्रधान को, यथा-संभव शीघ्र, किन्तु उसकी सेवानिवृत्ति की तारीख के एक वर्ष के अपश्चात् परिवर्तित किया जाता है :

परन्तु :—

(क) नियम 13 के खण्ड (iii) में निर्दिष्ट किसी आवेदक की दशा में, जहां रेल सेवा से उसे निवृत्त करने का आदेश भूतलक्षी तारीख से जारी किया गया था, इस उपनियम में निर्दिष्ट एक वर्ष की अवधि की गणना ऐसे सेवानिवृत्ति आदेश जारी किए जाने की तारीख से की जाएगी;

(ख) नियम 13 के खंड (v) में निर्दिष्ट किसी आवेदक की दशा में, इस उपनियम में निर्दिष्ट एक वर्ष की अवधि की गणना विभागीय या न्यायिक कार्यवाही समाप्त होने के परिणाम-स्वरूप जारी किए गए आदेशों की तारीख से की जाएगी।

(2) ऐसा आवेदक, जो अपनी सेवानिवृत्ति की तारीख से एक वर्ष की अवधि के भीतर पेंशन के संराशीकरण के लिए प्ररूप 1 में आवेदन करता है किन्तु कार्यालय प्रधान को वह आवेदन उसकी सेवानिवृत्ति की तारीख से एक वर्ष के पश्चात् प्राप्त होता है, स्वास्थ्य परीक्षा के बिना अपनी पेंशन संराशीकृत करने का पात्र नहीं होगा। ऐसा आवेदक, यदि वह अपनी पेंशन का भाग संराशीकृत करना चाहता है तो, अध्याय 4 में अधिकृत प्रक्रिया के अनुसार प्ररूप 2 में नए सिरे से आवेदन करेगा।

(3) ऐसा रेल सेवक, जो अधिवर्षिता पर सेवानिवृत्त होने वाला है और चाहता है कि पेंशन संदाय आदेश के जारी किए जाने के समय पेंशन के संराशीकृत मूल्य का संदाय प्राधिकृत किया जाए, सेवानिवृत्ति की तारीख से पूर्व पेंशन के कागजपत्तों के साथ पेंशन के भाग के संराशीकरण के लिए आवेदन करने का पात्र होगा, परन्तु :—

(क) न मेवक केवल अधिवर्षिता पेंशन पर सेवानिवृत्त होता हो;

(ख) आवेदन कार्यालय प्रधान को प्ररूप 2 में इस प्रकार प्रस्तुत किया गया हो जिससे कि वह कार्यालय प्रधान के पास अधिवर्षिता की तारीख के पूर्व तीन मास के अवध्यात् पहुँच जाए;

(ग) यदि अवधि रेल मेवक की अधिवर्षिता की तारीख से तीन मास से कम है तो ऐसा कोई आवेदन ग्रहण नहीं किया जाएगा; और

(घ) यदि रेल मेवक की अधिवर्षिता की तारीख से पहले मृत्यु हो जाती है या वह ऐसी सेवानिवृत्ति से पहले पेंशन का दावा खो देता है तो पेंशन के संगणनीकृत मूल्य का संदाय करने के लिए रेल का कोई दायित्व नहीं होगा।

15. पेंशन के संगणनीकरण के लिए आवेदन पर कार्यालय प्रधान द्वारा की जाने वाली कार्रवाई—(1) कार्यालय प्रधान नियम 14 के उपनियम (1) के अधीन प्ररूप 1 में या उपनियम (3) के अधीन प्ररूप 2 में आवेदन प्राप्त होने पर:—

(क) प्ररूप पर उसकी प्राप्ति की तारीख उपदर्शित करने हुए आद्याक्षर करेगा;

(ख) उस प्ररूप के भाग 2 में प्ररूप 1 या प्ररूप 2 की प्राप्ति तुरन्त अभिस्वीकार करेगा और उसे आवेदक को प्रेषित करेगा;

(ग) प्ररूप 1 या प्ररूप 2 के भाग 3 को पूरा करने के लिए तुरन्त कार्रवाई करेगा और अपने अभिलेख के लिए एक प्रति रखकर उसे लेखा अधिकारी को अग्रेषित करेगा।

(2) यदि कार्यालय प्रधान को नियम 14 के उपनियम (1) के अधीन प्ररूप 1 में आवेदन आवेदक की सेवानिवृत्ति की तारीख के एक वर्ष के पश्चात् प्राप्त होता है तो कार्यालय प्रधान आवेदक को सूचना देगा कि:—

(क) वह स्वास्थ्य परीक्षा के बिना अपनी पेंशन का भाग संगणनीकृत करने का पात्र नहीं होगा;

(ख) यदि वह अपनी पेंशन का भाग संगणनीकृत करना चाहता है तो उसे नए सिरे से प्ररूप 2 में आवेदन करना चाहिए ताकि अध्याय 4 में अधिकृत प्रक्रिया के अनुसार उसकी स्वास्थ्य परीक्षा के लिए व्यवस्था की जाए।

16. लेखा अधिकारी द्वारा संगणनीकृत मूल्य का प्राधिकरण—(1) लेखा अधिकारी कार्यालय प्रधान से प्ररूप 1 के प्राप्त होने पर यह स्थापित करेगा कि—

(क) कार्यालय प्रधान द्वारा प्ररूप 1 के भाग 3 में दी गई सूचना सही है;

(ख) आवेदक स्वास्थ्य परीक्षा के बिना अपनी पेंशन का भाग संगणनीकृत करने का पात्र है;

(ग) कार्यालय प्रधान द्वारा पेंशन का संगणनीकृत मूल्य ठीक अवधारित किया गया है।

(2) लेखा अधिकारी प्ररूप 1 में दी गई जानकारी का आवश्यक स्थापन करने के पश्चात्:—

(क) संबद्ध संवितरक प्राधिकारी को पेंशन के संगणनीकृत मूल्य का संदाय करने के लिए प्राधिकार-पत्र जारी करेगा;

(ख) संबद्ध संवितरक प्राधिकारी का ध्यान नियम 7 के उपनियम (1) के परन्तुक की ओर आकर्षित करेगा जिससे कि संवितरक प्राधिकारी पेंशन संदाय आदेश में उस तारीख की बाबत, जिसको पेंशन के संगणनीकृत भाग मद्धे पेंशन की रकम कम कर दी जानी है, प्रविष्टि कर सके;

(ग) खण्ड (क) में निर्दिष्ट प्राधिकार-पत्र की एक प्रति आवेदक को इस अनुदेश के साथ पृष्ठांकित करेगा कि उसे संवितरक प्राधिकारी से अपनी पेंशन के संगणनीकृत भाग की रकम प्राप्त कर लेनी चाहिए।

(3) (क) लेखा अधिकारी कार्यालय प्रधान से प्ररूप 2 प्राप्त हो जाने पर, यह अभिनिश्चित और स्थापित करेगा कि क्या आवेदक की अधिवर्षिता पेंशन की रकम की गणना की गई है और यदि नहीं तो, पेंशन की रकम निश्चित करने के लिए कदम उठाएगा ताकि पेंशन संदाय आदेश आवेदक की सेवानिवृत्ति की तारीख से एक मास पहले जारी कर दिया जाए।

(ख) (i) लेखा अधिकारी, प्ररूप 2 में दी गई जानकारी का आवश्यक स्थापन करने के पश्चात्:—

(अ) उसे बिना प्रस्तुत किए जाने पर कार्यालय प्रधान को पेंशन के संगणनीकृत मूल्य की रकम निकालने के लिए प्राधिकृत करेगा और पेंशनभोगी को चैक या ड्राफ्ट सौपेगा, जिस पर “..... (सेवानिवृत्ति की तारीख से अगली तारीख) से पहले संदेय नहीं” लिखा होगा;

(आ) पेंशन संदाय आदेश के दोनों अर्धभागों पर निम्न-लिखित उपदर्शित करेगा—(1) सकल पेंशन; (2) संगणनीकृत पेंशन की रकम, और (3) यह तथ्य कि पेंशन का संगणनीकृत मूल्य ग्राहण और संवितरण अधिकारी द्वारा पृथक रूप से प्राधिकृत किया गया है;

(इ) मानिक पेंशन को, उसके प्रारम्भ से तदनु रूप कम करेगा;

(ई) सेवानिवृत्त होने वाले रेल मेवक को पेंशन के संगणनीकृत मूल्य का संदाय कर दिए जाने के संबंध में टिप्पण उसकी सेवा पुस्तिका में करेगा; और

(उ) जहाँ पेंशन के संराशीकृत मूल्य का संदाय सेवानिवृत्ति की तारीख के परवान् प्रथम मास के भीतर नहीं किया गया है और बिलंब पेंशन-भोगी के कारण हुआ नहीं माना जा सकता है, वहाँ लेखा अधिकारी, कार्यालय प्रधान को सेवानिवृत्ति की तारीख से अगले दिन और उस तारीख से, जिसको पेंशन का संराशीकृत मूल्य, केन्द्रीय सरकार लेखा (प्राप्ति और संदाय) नियम, 1983 के नियम 49 के निबंधनों के अनुसार मंदन किया गया समझा गया है, पूर्ववर्ती तारीख के बीच की अवधि के लिए मासिक पेंशन के अन्तर का संदाय करने के लिए एक प्राधिकार-पत्र जारी करेगा।

(ii) लेखा अधिकारी, आवेदक को वह तारीख सूचित करेगा जिसको पेंशन संदाय आदेश संवितरक प्राधिकारी को प्रेषित किया है।

(iii) लेखा अधिकारी, कार्यालय प्रधान से भी वह तारीख सूचित करने का अनुरोध करेगा, जिसको पेंशन के संराशीकृत मूल्य का बैंक या ड्राफ्ट आवेदक को सीपा गया है।

17. अनन्तिम पेंशन के भाग में संराशीकृत मूल्य का प्राधिकरण—(1) यदि अनन्तिम पेंशन का अवधारण होने तक कार्यालय प्रधान ने किसी रेल सेवक को रेल पेंशन नियम के नियम 91 के अधीन अनन्तिम पेंशन मंजूर की और उस रेल सेवक ने नियम 10 के उपबंधों के अनुसार प्रपत्र 1 में अनन्तिम पेंशन के संराशीकरण के लिए आवेदन किया तो कार्यालय प्रधान प्रपत्र 1 प्राप्त होने पर—

(क) नियम 15 के उपनियम (1) में जैसा उपबधित है उसके अनुसार कार्यवाई करेगा और प्रपत्र 1 को, रेल पेंशन नियम के नियम 81 में निर्दिष्ट सम्यक् रूप से पूरे किए गए पेंशन कागज पत्रों के साथ, लेखा अधिकारी को अग्रेषित करेगा यदि पेंशन कागजपत्र लेखा अधिकारी को पहले ही अग्रेषित नहीं किए गए हों;

(ख) लेखा अधिकारी से अनन्तिम पेंशन की रकम और प्रपत्र 1 के भाग 3 में यथा अवधारित अनन्तिम पेंशन के भाग के संराशीकृत मूल्य की रकम की शुद्धता सत्यापित करने के लिए अनुरोध करेगा।

(2) लेखा अधिकारी उपनियम (1) के अधीन प्रपत्र 1 के प्राप्त होने पर अनन्तिम पेंशन की रकम की शुद्धता सत्यापित करेगा और नियम 16 के उपनियम (1) में जैसा उपबधित है उसके अनुसार और सत्यापन भी करेगा।

(3) लेखा अधिकारी, अनन्तिम पेंशन की रकम और संराशीकृत मूल्य की रकम का आवश्यक सत्यापन करने के पश्चात् —

(क) कार्यालय प्रधान को पेंशन के संराशीकृत मूल्य के संदाय के लिए इस टिप्पणी के साथ प्राधिकारपत्र जारी करेगा कि संराशीकृत मूल्य निकाला जाए

और, उसे सूचना देने के अधीन रहते हुए, आवेदक को संवितरित कर दिया जाए;

(ख) कार्यालय प्रधान का ध्यान नियम 7 के उपनियम (1) के परन्तुक की ओर आकर्षित करेगा जिससे कि कार्यालय प्रधान तदनुसार संराशीकरण की रकम मद्धे अनन्तिम पेंशन की रकम में कमी कर सके; और

(ग) खण्ड (क) में निर्दिष्ट प्राधिकारपत्र की एक प्रति आवेदक को इस अनुदेश के साथ पृष्ठांकित करेगा कि उसे उस विषय में कार्यालय प्रधान को लिखना चाहिए।

(4) कार्यालय प्रधान, लेखा अधिकारी से उपनियम (3) के अधीन प्राधिकारपत्र प्राप्त होने पर पेंशन के संराशीकृत मूल्य की रकम निकालेगा और लेखा अधिकारी को सूचना देते हुए यह रकम आवेदक को संवितरित करेगा।

(5) लेखा अधिकारी, पेंशन के अनन्तिम निर्धारण पर,—

(क) इस प्रकार अवधारित संराशीकृत मूल्य और कार्यालय प्रधान द्वारा पहले ही संवत् संराशीकृत मूल्य के अन्तर के संदाय के लिए संवितरक प्राधिकारी को प्राधिकार-पत्र जारी करेगा;

(ख) कार्यालय प्रधान द्वारा अनन्तिम पेंशन का संदाय बन्द करने पर जारी किए जाने वाले पेंशन संदाय आदेश में, कार्यालय प्रधान द्वारा अनन्तिम पेंशन के संराशीकृत मूल्य के संदाय के तथ्य की प्रविष्टि करेगा और वह तारीख भी उपबधित करेगा जिसे तारीख से अवशिष्ट पेंशन का संदाय प्रारंभ होगा।

अध्याय 4

स्वास्थ्य परीक्षा के पश्चात् पेंशन का संराशीकरण

18. विस्तार—इस अध्याय के उपबन्ध ऐसे आवेदक को लागू होंगे जो स्वास्थ्य परीक्षा के पश्चात् अपनी पेंशन का भाग संराशीकृत करने का पात्र हैं।

19. पात्रता—वह आवेदक, जो—

(i) रेल पेंशन नियम के नियम 55 के अधीन अशक्त पेंशन पर सेवानिवृत्त होता है; या

(ii) किसी निगम या कंपनी या निगमित या अनियमित निकाय में, या उसके अधीन, आमेलन पर, रेल पेंशन नियम के नियम 53 के निबंधनों के अनुसार पेंशन के बदले मृत्यु तथा सेवानिवृत्ति उपदान और एकमुश्त रकम प्राप्त करने के विकल्प का चयन करता है; या

(iii) शास्ति स्वरूप अनिवार्यता सेवानिवृत्त कर दिया जाता है और जिसे रेल पेंशन नियम के नियम 64 के अधीन पेंशन दी जाती है; या

- (iv) रेल पेंशन नियम के नियम 65 के अधीन अनुकंपा मना पा रहा है; या
- (v) नियम 13 में निर्दिष्ट किसी पेंशन पर सेवानिवृत्त हुआ है किन्तु संराशीकरण के लिए जिसका आवेदन कार्यालय प्रधान द्वारा उसकी सेवानिवृत्ति के एक वर्ष के भीतर प्राप्त नहीं हुआ है;

समुचित चिकित्सा प्राधिकारी द्वारा आरोग्य घोषित किए जाने के पश्चात् नियम 6 में विनिर्दिष्ट सीमा के अधीन रहते हुए, अपनी पेंशन का भाग संराशीकृत करने का पात्र होगा।

20. पेंशन के संराशीकरण के लिए आवेदन—नियम 19 में निर्दिष्ट आवेदक, अपनी पेंशन के, जिसके अन्तर्गत रेल पेंशन नियम के नियम 91 के अधीन मंजूर की गई अनन्तम पेंशन भी है, भाग के संराशीकरण के लिए कार्यालय प्रधान को प्ररूप 2 में आवेदन करेगा।

21. पेंशन के संराशीकरण के लिए आवेदन पर कार्यालय प्रधान द्वारा की जाने वाली कार्रवाई—(1) कार्यालय प्रधान, नियम 20 के अधीन प्ररूप 3 के भाग 1 में आवेदक प्राप्त होने पर,—

- (क) प्ररूप 3 की प्राप्ति उस प्ररूप के भाग 2 में तुरन्त अभिस्वीकार करेगा और उसे आवेदक को प्रेषित करेगा;
- (ख) मूल रूप में प्ररूप 3 को उस प्ररूप के भाग 3 में लेखा अधिकारी को इस अनुरोध के साथ अग्रेषित करेगा कि उस प्ररूप का भाग 4 तुरन्त पूरा किया जाए और यथासंभव शीघ्र उसके पास वापस भेजा जाए जिससे कि समुचित चिकित्सा प्राधिकारी से आवेदन की परीक्षा कराने की कार्रवाई की जा सके।

(2) लेखा अधिकारी, कार्यालय प्रधान से उपनियम (1) के अधीन प्ररूप 3 के प्राप्त होने पर उस प्ररूप के भाग 4 को पूरा करेगा और यथासंभव शीघ्र कार्यालय प्रधान को पारेषित करेगा।

(3) कार्यालय प्रधान, लेखा कार्यालय से उपनियम (2) के अधीन, प्ररूप 3 के प्राप्त होने पर उस मुख्य चिकित्सा प्राधिकारी को जहां से आवेदक अपनी स्वास्थ्य परीक्षा कराना चाहता है प्ररूप 4 में पत्र लिखेगा और उसे निम्नलिखित दस्तावेज अग्रेषित करेगा. :—

- (i) मूल रूप में प्ररूप 3, उस प्ररूप के सम्यक् रूप से पूरे किए गए भाग 4 सहित;
- (ii) आवेदक के फोटो की दो प्रतियां जिसमें से एक अनुप्रमाणित प्रति होगी;
- (iii) प्ररूप 5 की एक प्रति, उस प्ररूप के भाग 3 की अनिवार्य प्रति सहित;
- (iv) आवेदक के मामले की रिपोर्ट या उसका विवरण, यदि उसे अशक्त पेंशन दी गई है या उसने

अपनी पेंशन के एक भाग को तत्पूर्व संराशीकृत किया है या अपनी वास्तविक आयु में वर्षों के जोड़े जाने के आधार पर संराशीकरण को स्वीकार करने से इंकार किया है या स्वास्थ्य के आधार पर संराशीकरण से इंकार किया गया है।

(4) कार्यालय प्रधान, मुख्य चिकित्सा प्राधिकारी को संबोधित प्ररूप 4 में पत्र की प्रति आवेदक और लेखा अधिकारी को पृष्ठांकित करेगा।

22. मुख्य चिकित्सा प्राधिकारी द्वारा ली जाने वाली कार्रवाई—

(1) नियम 21 के उप-नियम (3) में निर्दिष्ट दस्तावेजों की प्राप्ति पर चिकित्सा प्राधिकारी—

(क) जहां तक संभव हो, आवेदक द्वारा प्ररूप 3 में उपदर्शित निकटतम उपलब्ध स्थान पर चिकित्सा प्राधिकारी द्वारा आवेदक की चिकित्सीय परीक्षा की व्यवस्था करेगा;

(ख) नियम 21 के उपनियम (3) में निर्दिष्ट दस्तावेजों को चिकित्सा प्राधिकारी को नियम 26 में उपबंधित रूप में आवेदक की परीक्षा करने के निदेश के साथ पारेषित करेगा;

(ग) आवेदक को यह सूचित करेगा कि उसे कहां और किमके पास चिकित्सीय परीक्षा के लिए उपस्थित होना चाहिए या यदि आवश्यक हो तो चिकित्सा प्राधिकारी को ऐसी परीक्षा की तारीख और समय आवेदक को संसूचित करने के लिए निदेश देगा।

(2) चिकित्सीय परीक्षा की तारीख नियत करने में, यह सुनिश्चित किया जाएगा कि चिकित्सीय परीक्षा, जहां तक संभव हों, आवेदक की आगामी जन्म-तारीख के पहले हो।

23. चिकित्सा प्राधिकारी—(1) उपनियम (2) में जैसा अन्यथा उपबंधित है उसके विवाध, चिकित्सा प्राधिकारी वहां चिकित्सा बोर्ड होगा जहां पेंशन के संराशीकरण के लिए—

(क) आवेदक अशक्त पेंशन का संराशीकरण चाहता है या

(ख) आवेदक अशक्त पेंशन से भिन्न संराशीकरण पेंशन चाहता है किन्तु संराशीकरण की जाने वाली पेंशन की रकम पहले संराशीकृत रकम या रकमों को मिलाकर एक सौ रुपए प्रति मास से अधिक हो जाती है, या

(ग) चिकित्सीय परीक्षा के आधार पर संराशीकरण के लिए मना कर दिया गया है या चिकित्सीय प्राधिकारी द्वारा सिफारिश की गई उसकी वास्तविक आयु में वर्षों के जोड़े जाने के आधार पर संराशीकरण को एक बार उसके द्वारा इंकार कर दिए जाने पर उसने नियम 27 और नियम 28 में उपबंधों के अनुसार द्वितीय चिकित्सीय परीक्षा के लिए आवेदन किया है।

(2) उपनियम (1) के अन्तर्गत नहीं आने वाले किन्हीं अन्य मामलों में, चिकित्सा प्राधिकारी ऐसा चिकित्सा प्राधिकारी होगा जो यथास्थिति, प्रभागीय चिकित्सा अधिकारी या

सिविल सर्जन की हैसियत से निम्न हैसियत का नहीं होगा।

24. चिकित्सीय परीक्षा के लिए फीस आवेदक द्वारा वहन किया जाना—

आवेदक से चिकित्सीय परीक्षा के लिए ऐसी फीस का संदाय करने की अपेक्षा की जाएगी जो रेल बोर्ड द्वारा विनिर्दिष्ट की जाए।

25. चिकित्सा प्राधिकारी के समक्ष उपस्थित होने में असफलता—

(1) यदि आवेदक मुख्य चिकित्सा प्राधिकारी या नियम 22 के उपनियम (1) के खंड (ग) में निर्दिष्ट चिकित्सा प्राधिकारी से संसूचना की प्राप्ति के पश्चात् उसे संसूचित तारीख को और समय पर (जिसके अंतर्गत आवेदक के अनुरोध पर या प्रशासनिक कारणों से उममें किया गया कोई परिवर्तन भी है) चिकित्सा प्राधिकारी के समक्ष चिकित्सीय परीक्षा के लिए उपस्थित होने में असफल हो जाता है, और उसकी इस असफलता के लिए कोई उचित आधार नहीं है, तो चिकित्सा प्राधिकारी संबद्ध कार्यालय प्रधान को इस तथ्य की रिपोर्ट करेगा और नियम 22 के उपनियम (1) के खंड (ख) के अधीन प्राप्त दस्तावेज उसको लौटा देगा।

(2) उपनियम (1) के अधीन कार्यालय प्रधान को दस्तावेज लौटाने से यह समझा जाएगा कि संराशीकरण के लिए आवेदन को वापस ले लिया गया है।

26. (1) चिकित्सीय परीक्षा की प्रक्रिया—चिकित्सा प्राधिकारी—

(क) प्ररूप 5 के भाग 1 में आवेदक से एक विवरण प्राप्त करेगा जो आवेदक द्वारा उसकी उपस्थिति में सम्यक् रूप से हस्ताक्षरित होगा;

(ख) आवेदक का चिकित्सीय परीक्षण करेगा और अपना परिणाम प्ररूप 4 के भाग 2 में प्रविष्ट करेगा।

(ग) आवेदक के फोटो की अनुप्रमाणित प्रति को अनुप्रमाणित करेगा;

(घ) प्ररूप 5 के भाग 3 में अंतर्विष्ट प्रमाणपत्र को पूरा करेगा :

परन्तु जहाँ—

(1) आवेदक को अशक्त पेंशन अनुदत्त की गई है; या

(2) आवेदक ने अपनी पेंशन के भाग का पहले संराशीकरण किया है; या

(3) आवेदक का अस्वस्थता के आधार पर संराशीकरण अस्वीकार कर दिया गया है; या

(4) आवेदक ने अपनी वास्तविक आयु के वर्षों के जोड़े जाने के आधार पर संराशीकरण स्वीकार करने से इंकार कर दिया है, वहाँ चिकित्सा प्राधिकारी प्ररूप 5 के भाग 3 में अंतर्विष्ट प्रमाणपत्र को पूरा करने से पहले आवेदक के चिकित्सीय मामले के विवरण पर विचार करेगा।

(2) उपनियम (1) की अपेक्षाओं का अनुपालन करने के पश्चात् चिकित्सा प्राधिकारी निम्नलिखित दस्तावेजों को अविलंब लेखा अधिकारी को अर्पित करेगा जिसने प्ररूप 3 के भाग 4 को पहले ही पूरा किया है, अर्थात् :—

(क) मूल रूप में, प्ररूप 3

(ख) आवेदक के फोटो की अनुप्रमाणित प्रति,

(ग) मूल रूप में प्ररूप 5, और

(घ) कार्यालय प्रधान की प्ररूप 5 की प्रमाणित प्रति, जिसने प्ररूप 3 के भाग 4 को प्रतिहस्ताक्षरित किया है।

(3) चिकित्सा प्राधिकारी आवेदक को भी प्ररूप 5 के भाग 3 की प्रमाणित प्रति भेजेगा।

27. द्वितीय चिकित्सीय परीक्षा

(1) नियम 28 के उपबंधों के अधीन रहते हुए, नियम 23 के उपनियम (1) के खंड (ग) में निर्दिष्ट आवेदक के मामले में चिकित्सीय परीक्षा प्रथम चिकित्सीय परीक्षा की तारीख से एक वर्ष में अनूय की अवधि के समाप्त होने के पश्चात् की जाएगी।

(2) यदि आवेदक उपनियम (1) में विनिर्दिष्ट अवधि के समाप्त होने पर पुनः परीक्षा की जाने की बांछा करता है, तो परीक्षा चिकित्सा बोर्ड द्वारा उसके खर्चों पर की जाएगी। इस प्रयोजन के लिए वह कार्यालय प्रधान को यह अनुरोध करते हुए पत्र लिखेगा कि चिकित्सा बोर्ड द्वारा उसकी पुनः परीक्षा के लिए व्यवस्था की जाए। वह पत्र में निम्नलिखित उपदर्शित करेगा—

(1) वह चिकित्सा प्राधिकारी, जिसने उसकी पहले परीक्षा की है और वह तारीख, जिसको ऐसी परीक्षा की गई;

(2) वह स्थान, जहाँ उसकी परीक्षा की गई,

(3) चिकित्सा प्राधिकारी की राय,

(4) जन्म की तारीख और सेवानिवृत्ति की तारीख,

(5) सेवानिवृत्ति के समय धारित पद का नाम,

(6) प्राधिकृत पेंशन की रकम,

(7) पेंशन का वह भाग, जिसके संराशीकरण के लिए मूलतः आवेदन किया गया था।

(3) कार्यालय प्रधान, उपनियम (2) के अधीन पत्र की प्राप्ति पर, मुख्य चिकित्सा प्राधिकारी की चिकित्सा बोर्ड द्वारा आवेदक की पुनः परीक्षा करने की व्यवस्था करने के लिए लिखेगा और ऐसे प्राधिकारी को निम्नलिखित दस्तावेज अर्पित करेगा :—

(1) आवेदक से प्राप्त मूल रूप में पत्र,

(2) नियम 26 के उपनियम (2) के खंड (घ) में अधीन चिकित्सा प्राधिकारी से कार्यालय प्रधान द्वारा पहले प्राप्त प्ररूप 5 की प्रमाणित प्रति।

(4) मुख्य चिकित्सा प्राधिकारी कार्यालय प्रधान से उपनियम (3) के अधीन संसूचना की प्राप्ति पर आवेदक को यह सूचित करेगा कि उसे कहां और कब चिकित्सा बोर्ड के समक्ष चिकित्सीय परीक्षा के लिए उपस्थित होना है या यदि आवश्यक हो तो चिकित्सा बोर्ड को ऐसी परीक्षा के स्थान, तारीख और समय की संसूचना आवेदक को देने के लिए निदेश देगा।

(5) उपनियम (4) के अधीन संसूचना की प्राप्ति के पश्चात् आवेदक, उसे संसूचित स्थान पर और तारीख को चिकित्सा बोर्ड के समक्ष उपस्थित होगा।

(6) चिकित्सा बोर्ड आवेदक की परीक्षा करेगा और यदि, परीक्षा के पश्चात्, यह विचार है कि चिकित्सा प्राधिकारी की पूर्व राय में कोई पुनरीक्षण या उपांतरण की आवश्यकता नहीं है या पुनरीक्षण या उपांतरण की आवश्यकता है, तो वह अपनी राय अभिलिखित करेगा और उसे आवेदक को संसूचना देते हुए कार्यालय प्रधान को संसूचित करेगा। चिकित्सा बोर्ड द्वारा उपनियम (3) के अधीन प्राप्त दस्तावेजों को भी कार्यालय प्रधान को लौटा देगा।

(7) यदि कार्यालय प्रधान द्वारा उपनियम (6) के अधीन प्राप्त चिकित्सा बोर्ड की राय के परिणामस्वरूप आवेदक पेंशन के उस भाग का जिसके लिए मूलतः आवेदन किया गया था, संराशीकरण करने के लिए पात्र हो जाता है, तो कार्यालय प्रधान, उस तारीख को, जिसके चिकित्सा बोर्ड ने अपनी राय अभिलिखित की थी लागू सारणी के प्रतिनिर्देश से संराशीकरण मूल्य अवधारित करेगा। उसके पश्चात् कार्यालय प्रधान लेखा अधिकारी को संराशीकरण मूल्य को प्राधिकृत करने संबंधी आगे कार्रवाई करने के लिए अनुरोध करेगा और उसे निम्नलिखित दस्तावेज अग्रेषित करेगा :

- (1) उपनियम (2) के अधीन आवेदक से प्राप्त मूल रूप में पत्र,
- (2) उपनियम (6) के अधीन प्राप्त चिकित्सा बोर्ड की मूल रूप में राय;
- (3) गणनापत्र, जिसमें चिकित्सा बोर्ड की पुनरीक्षित या उपांतरित राय के प्रतिनिर्देश से अवधारित संराशीकृत मूल्य दर्शित हो,

(8) उपनियम (7) के अधीन लेखा अधिकारी, दस्तावेजों की प्राप्ति पर कार्यालय प्रधान द्वारा अवधारित संराशीकृत मूल्य की शुद्धता का सत्यापन करेगा और उसके पश्चात् कार्यालय प्रधान को सूचित करते हुए आवेदक के संराशीकृत मूल्य को प्राधिकृत करने की कार्रवाई करेगा।

28. चिकित्सा प्राधिकारियों के निष्कर्षों के विरुद्ध

अपील :—

(1) नियम 27 में किसी बात के होते हुए भी, नियम 23 के उपनियम (i) के खंड (ग) में निर्दिष्ट आवेदक नियम 27 में उपनियम (i) में विनिर्दिष्ट अवधि की समाप्ति

से पहले द्वितीय चिकित्सीय परीक्षा के लिए पात्र होगा यदि वह अनुभव करता है कि चिकित्सा प्राधिकारी ने अस्वस्थता के आधार पर संराशीकरण को अस्वीकार करने में या उसकी वास्तविक आयु में वर्षों को जोड़ने में निर्णय की गलती की है ऐसा आवेदक चिकित्सा प्राधिकारी के प्ररूप 5 के भाग 3 की प्रमाणित प्रति की प्राप्ति के एक मास के भीतर कार्यालय प्रधान को संबोधित पत्र द्वारा अपील कर सकेगा कि चिकित्सा प्राधिकारी की राय को उपनियम (2) के अधीन उल्लिखित किसी दूसरे चिकित्सा प्राधिकारी द्वारा उसके अपने खर्च पर पुनरीक्षित कराया जा सके। वह पत्र में निम्नलिखित भी उपदर्शित करेगा :—

- (1) वह चिकित्सा प्राधिकारी जिमने उसकी पहले परीक्षा की थी और वह तारीख जिमको परीक्षा हुई;
- (2) वह स्थान जहां उसकी परीक्षा हुई;
- (3) चिकित्सा प्राधिकारी की राय,
- (4) जन्म की तारीख और सेवानिवृत्ति की तारीख;
- (5) सेवा निवृत्ति के समय धारित पद का नाम;
- (6) प्राधिकृत पेंशन की रकम;
- (7) पेंशन का वह भाग जिसके लिए मूलतः संराशीकरण के लिए आवेदन दिया गया था।

2. यदि उपनियम (1) में निर्दिष्ट आवेदक की प्रथम परीक्षा जो प्रभागीय चिकित्सा अधिकारी या सिविल सर्जन की प्रतिस्थिति से निम्न कान हो। चिकित्सा अधिकारी द्वारा की गई थी तो उसकी पुनः चिकित्सा परीक्षा चिकित्सा बोर्ड द्वारा की जाएगी या

(2) पहले परीक्षा चिकित्सा बोर्ड द्वारा उसकी पुनः परीक्षा की गयी थी तो किसी द्वितीय चिकित्सा बोर्ड द्वारा की जाएगी, जिसके सदस्य पहले चिकित्सा बोर्ड के सदस्य से भिन्न होंगे।

3. कार्यालय प्रधान, उपनियम (1) के अधीन पत्र की प्राप्ति के एक मास के भीतर आवेदक की पुनः परीक्षा की व्यवस्था करने के लिए कार्रवाई करेगा इस प्रयोजन के लिए, वह उस मुख्य चिकित्सा प्राधिकारी को लिखेगा जहां आवेदक की पहले परीक्षा की गई थी वह मुख्य चिकित्सा प्राधिकारी को लिखते समय उसका ध्यान उपनियम (2) के उपबंधों की ओर दिलाएगा और उसे निम्नलिखित दस्तावेज अग्रेषित करेगा :—

- (1) आवेदक से प्राप्त मूल पत्र में पत्र,
- (2) कार्यालय प्रधान द्वारा नियम 26 के उपनियम (2) के खंड (घ) के अधीन चिकित्सा प्राधिकारी से पहले प्राप्त प्ररूप 5 की प्रमाणित प्रति।

4. मुख्य चिकित्सा प्राधिकारी उपनियम (3) के अधीन कार्यालय प्रधान से संसूचना की प्राप्ति पर चिकित्सा बोर्ड

द्वारा आवेदक की द्वितीय चिकित्सा परीक्षा की व्यवस्था करेगा जो उपनियम (2) के उपबंधों के अनुसार गठित किया जाएगा। उसके पश्चात् मुख्य चिकित्सा प्राधिकारी आवेदन को सूचित करेगा कि उसे कब और कहाँ चिकित्सा परीक्षा के लिए चिकित्सा बोर्ड के समक्ष उपस्थित होना है या यदि आवश्यक हो तो आवेदक को ऐसी परीक्षा के स्थान, तारीख और समय की संसूचना देने के लिए चिकित्सा बोर्ड को निर्देश देगा।

5. उपनियम (4) के अधीन आवेदक संसूचना की प्राप्ति पर उसे संसूचित तारीख को और उस समय पर चिकित्सा परीक्षा के लिए चिकित्सा बोर्ड के समक्ष उपस्थित होगा।

6. चिकित्सा बोर्ड आवेदक की परीक्षा करेगा और यदि, परीक्षा के पश्चात् यह विचार है कि चिकित्सा प्राधिकारी की पूर्व राय में कोई पुनरीक्षण या उपांतरण की आवश्यकता नहीं है या पुनरीक्षण या उपांतरण की आवश्यकता है तो वह अपनी राय अभिलिखित करेगा और उसे आवेदक को संसूचना देते हुए कार्यालय प्रधान को संसूचना करेगा और चिकित्सा बोर्ड के निष्कर्ष आवेदक पर आबद्ध कर होंगे।

7. यदि चिकित्सा बोर्ड आवेदक की द्वितीय चिकित्सीय परीक्षा के परिणाम स्वरूप प्रथम चिकित्सा प्राधिकारी की राय को अपास्त या उपांतरित कराया है तो चिकित्सा बोर्ड के निष्कर्ष उस तारीख से प्रवृत्त हुए समझे जाएंगे जिसके प्रथम चिकित्सा प्राधिकारी ने अपनी राय अभिलिखित की थी और आवेदक को सारांशीकरण के लिए बाबा तदनुसार परिनिर्धारित किया जाएगा।

8. इस नियम की कोई बात किसी ऐसे आवेदक को लागू नहीं होगी जिसके मामले में चिकित्सा प्राधिकारी ने प्रथम चिकित्सीय परीक्षा के परिणाम स्वरूप निर्देश दिया था कि सारांशीकरण के प्रयोजन के लिए आवेदक की आयु उसकी वास्तविक आयु से अधिक मानी जानी चाहिए और आवेदक ने बड़ी हुई आयु के प्रति निर्देश से सारांशीकृत मूल्य प्राप्त किया था।

29. आवेदन का वापस लिया जाना

(1) आवेदक कार्यालय प्रधान को लिखित रूप में सूचना देने के पश्चात् चिकित्सा प्राधिकारी से अपनी चिकित्सीय परीक्षा कराने के पूर्व किसी भी समय अपना आवेदन वापस ले सकता है किन्तु किसी भी दशा में ऐसे प्राधिकारी के समक्ष उपस्थित होने के पश्चात् नहीं।

(2) यदि चिकित्सा प्राधिकारी यह निर्देश देता है कि सारांशीकरण के प्रयोजन के लिए आवेदक की आयु उसकी वास्तविक आयु से अधिक मानी जाएगी तो आवेदक—

(क) कार्यालय प्रधान को लिखित रूप में सूचना देकर उस तारीख से, जिसकी वह प्ररूप 5 के भाग 3 की प्रमाणित प्रति प्राप्त करता है, चौदह दिन के भीतर अपना आवेदन वापस हो सकेगा और सूचना की एक प्रति लेखा अधिकारी को पृष्ठांकित करेगा, या

(ख) खंड (क) में विनिर्दिष्ट अवधि के भीतर, लेखा अधिकारी को संसूचना देते हुए, कार्यालय प्रधान से यह अनुरोध कर सकेगा कि उसे उस पेंशन की रकम को, जो उसने सारांशीकरण के लिए पहले आवेदन किया था। रकम तक आवेदक द्वारा उपदर्शित कम करने की अनुज्ञा दी जाए।

3. जहां आवेदक द्वारा उपनियम (2) के खंड (क) में विनिर्दिष्ट समय के भीतर आवेदन वापस लेने के लिए अनुरोध नहीं किया जाता है वहां यह उपधारणा की जाएगी कि उसने चिकित्सा प्राधिकारी के निष्कर्षों को स्वीकार कर लिया है और लेखा अधिकारी पेंशन के सारांशीकृत मूल्य के संदाय को प्राधिकृत करने के लिए कार्रवाई करेगा।

4. यदि सारांशीकृत कराई जाने वाली पेंशन की रकम को कम करने के लिए अनुरोध उपनियम (2) के खंड (ख) में उपबंधित रूप में किया जाता है तो लेखा अधिकारी कम की गई रकम के प्रति निर्देश से पेंशन के सारांशीकृत मूल्य का संदाय प्राधिकृत करेगा।

5. यदि लेखा अधिकारी नियम 30 के अधीन आवेदक की सूचना देता है कि सारणी के उपांतरण के कारण आवेदक को संसूचित सारांशीकृत मूल्य संवेय प्ररूप 4 में उसे सूचित मूल्य से कम होगा, तो आवेदक इस बात के लिए स्वतंत्र होगा कि वह अधिकारी को सठबोधित लिखित प में सूचना द्वारा अपना आवेदन वापस ले ले और आवेदक उस सूचना की एक प्रति कार्यालय प्रधान को उस तारीख से जिसकी वह ऐसे उपांतरण की संसूचना प्राप्त करता है चौदह दिन के भीतर पृष्ठांकित करेगा।

30. सारणी में विनिर्दिष्ट मूल्य में उपांतरण :—

(1) यदि सारणी में विनिर्दिष्ट मूल्य को नियम 7 के उपनियम (i) के खंड (ii) के निबंधनों के अनुसार सारांशीकरण के अंतिम होने के पूर्व किसी भी समय उपांतरित कर दिया जाता है, तो संदाय इस प्रकार उपांतरित मूल्य के अनुसार किया जाएगा।

(2) जहां उपांतरित सारणी के प्रति निर्देशों से संगणित सारांशीकृत मूल्य इस प्रकार उपांतरित किए जाने से पूर्व सारणी के प्रति निर्देश से अवधारित मूल्य से कम अनुकूल है, वहां लेखा अधिकारी—

(क) आवेदक को पुनरीक्षित मूल्य के बारे में सूचित करेगा और उसे नियम 29 के उपनियम (5) के उपबंधों को सूचित करेगा और

(ख) खंड (क) के अधीन जारी की गई संसूचना की एक प्रति कार्यालय प्रधान को पृष्ठांकित करेगा।

31. लेखा अधिकारी द्वारा मराशीकृत मूल्य के संदाय का प्राधिकृत किया जाना :—(1) नियम 29 में उपनियम (2) और उपनियम (3) के उपबंधों के अधीन रहते हुए, लेखा अधिकारी चिकित्सा प्राधिकारी से नियम 26 क

उपनियम (2) में निविष्ट दस्तावेजों के प्राप्त होने पर, संबद्ध संवितरक प्राधिकारी को एक आदेश अविलम्ब जारी करेगा और उसे निम्नलिखित विशिष्टियाँ और दस्तावेज देगा, अर्थात् :—

- (1) सारांशीकृत पेंशन की रकम, पेंशन के सारांशीकृत मूल्य की रकम और वह तारीख, जिसको सारांशीकरण अंतिम हो गया,
 - (2) अवशिष्ट पेंशन की रकम,
 - (3) मूल रूप में प्ररूप 5,
 - (4) चिकित्सा प्राधिकारी द्वारा अनुप्रमाणित आवेदक के फोटो की प्रति।
- (2) लेख अधिकारी भी—
- (क) उस तारीख की बाबत जिसको मूल पेंशन की रकम कम की जानी चाहिए, नियम 7 के परन्तुक के उपबंधों को संवितरक प्राधिकारी की जानकारी में लाएगा;
 - (ख) उपनियम (1) के अधीन जारी किए गए आदेश की एक प्रति आवेदक को इस रिप्पणी के साथ पृष्ठांकित करेगा कि उसे संवितरक प्राधिकारी से सारांशीकृत मूल्य प्राप्त करना चाहिए, और
 - (ग) नियम 7 के उपनियम (1) के परन्तुक से उपबंधों की आवेदक की जानकारी में लाएगा।

32. अन्तिम पेंशन का अंतिम निर्धारण :—

- (1) नियम 10 के उपनियम (3) में निविष्ट ऐसे आवेदक को, जिसे कार्यालय प्रधान द्वारा अन्तिम पेंशन के भाग के सारांशीकृत मूल्य का संदाय किया गया है, पेंशन के अंतिम निर्धारण पर लेखा अधिकारी द्वारा इस प्रकार अवधारित सारांशीकृत मूल्य और पहले ही संवत्त सारांशीकृत मूल्य के बीच के अंतर का संदाय किया जाएगा :

परन्तु जहां अन्तिम पेंशन के भाग के सारांशीकरण के लिए किसी आवेदक की परीक्षा चिकित्सा अधिकारी द्वारा की गई है और ऐसा आवेदक अंतिम पेंशन के निर्धारण पर एक सौ रुपए प्रतिमाह से बढधिक रकम सारांशीकृत करने के लिए पात्र हो जाता है वहां उसे एक सौ रुपए प्रतिमाह के सारांशीकृत मूल्य और अन्तिम पेंशन के भाग के सारांशीकृत मूल्य के बीच का अंतर और चिकित्सीय परीक्षा कराए बिना अनुज्ञात किया जाएगा, किन्तु एक सौ रुपए प्रतिमाह से अधिक पेंशन के सारांशीकृत मूल्य का संदाय तब किया जाएगा जब आवेदक नियम 10 के उपनियम (3) के खंड (ग) में यथा उपबंधित चिकित्सीय परीक्षा के लिए नए मिर से आवेदन करता है और उसे चिकित्सा बोर्ड द्वारा योग्य घोषित किया जाता है।

- (2) आवेदक से संबंधित और नियम 1 में उपनियम (4) के अधीन अधोषित प्ररूप 4 के पृष्ठांकन में यथा उपदर्शित

अन्तिम पेंशन के भाग का सारांशीकृत मूल्य लेखा अधिकारी द्वारा अंतिम पेंशन के भाग के और अंतिम पेंशन के भाग के सारांशीकृत मूल्य के बीच के अंतर के संदाय के लिए प्राधिकार पत्र जारी करने के साथ ही उपरान्तरित किया गया समझा जाएगा।

अध्याय—5

प्रकीर्ण

33. निर्धन—यदि इन नियमों के निर्धन के संबद्ध में कोई शंका उत्पन्न होती है, तो उसे विनिश्चय के लिए रेल मंत्रालय (रेल बोर्ड) को निविष्ट किया जाएगा।

34. शिथिल करने की शक्ति—जहां किसी रेल स्थापन या एकक का यह समाधान हो जाता है कि इन नियमों में से किसी नियम के प्रवर्तन से किसी विशिष्ट मामले में असम्यक, कठिनाई होती है वहां, यथास्थिति, वह स्थापन या एकक उसके लिए जो कारण है उन्हें लेखबद्ध करके, उस नियम की अपेक्षाओं से ऐसी सीमा तक, और ऐसे अपवादों और शर्तों के अधीन रहते हुए जो वह उस मामले की बाबत न्यायसंगत और साम्यापूर्ण रीति से कार्यवाही करने के लिए आवश्यक समझे, अभियुक्ति दे सकेगा या उन्हें शिथिल कर सकेगा। रेल मंत्रालय (रेल बोर्ड) ऐसे प्रत्येक मामले की जांच करेगा और प्रस्तावित अभियुक्ति या शिथिलकरण को, जो वह प्रत्येक मामले की गुणा व गुण को ध्यान में रखते हुए और अन्य कानूनी उपबंधों को ध्यान में रखते हुए आवश्यक समझे, राष्ट्रपति की मंजूरी को संसूचित करने की व्यवस्था करेगा :

परन्तु ऐसा आदेश भारत सरकार के कार्मिक, लोक शिकायत और पेंशन मंत्रालय के पेंशन और पेंशन भोगी कल्याण विभाग की सहमति के बिना जारी नहीं किया जाएगा।

35. निरसन और व्यावृत्ति :—(1) इन नियमों के प्रारंभ पर, ऐसे प्रारंभ के ठीक पूर्व प्रवृत्त प्रत्येक नियम (जिसके अंतर्गत भारतीय विनियम या आदेश रेल में अंतर्विष्ट रेल स्थापन संहिता, पंचामवां पुनर्मुद्रण भी हैं) (जिसके हममें इसके पश्चात् इस नियम का पुराना नियम कहा गया है) जहां तक उसमें इन नियमों में अंतर्विष्ट विषयों में से किसी विषय के लिए उपबंध है, प्रवृत्त नहीं रही जाएगी।

- (2) प्रवर्तन की ऐसी समाप्ति के होते हुए भी :—

(क) पेंशन के सारांशीकरण के लिए किसी आवेदन का, जो इन नियमों के प्रारंभ के पूर्व संबद्धित है, निपटारा पुराने नियमों के उपबंधों के अनुसार किया जाएगा मानों ये नियम बनाए ही नहीं गए हों; और

(ख) खंड (क) के उपबंधों के अधीन रहते हुए, पुराने नियमों के अधीन की गई कोई बात या कोई कार्रवाई इन नियमों के तत्स्थानी उपबंधों के अधीन की गई समझी जाएगी।

परिशिष्ट			1	2	3
सारणी					
प्रतिवर्ष एक रुपए के पेंशन के लिए संराशीकरण मूल्य			46	14	37
[नियम 9, नियम 27(7), नियम 29(5) और नियम 30(1) और नियम (2) देखिए]			47	14	10
			48	13	82
			49	13	54
			50	13	25
अगले जन्म दिन पर आयु	क्रय किए गए वर्षों की संख्या के रूप में अभि- व्यक्त संराशीकरण मूल्य		51	12	95
			52	12	66
			53	12	35
			54	12	05
1	2	3	55	11	73
	रु.	पै.	56	11	42
17	19	28	57	11	10
18	19	20	58	10	78
19	19	11	59	10	46
20	19	01	60	10	13
21	18	91	61	9	81
22	18	91	62	9	48
23	18	70	63	9	15
24	18	59	64	8	82
25	18	47	65	8	50
26	18	34	66	8	17
27	18	21	67	7	85
28	18	07	68	7	53
29	17	93	69	7	22
30	17	78	70	6	91
31	17	62	71	6	60
32	17	48	72	6	30
33	17	29	73	6	01
34	17	11	74	5	72
35	16	92	75	5	44
36	16	72	76	5	17
37	16	52	77	4	90
38	16	31	78	4	65
39	16	09	79	4	40
40	15	87	80	4	17
41	15	64	81	3	94
42	15	40	82	3	72
43	15	15	83	3	42
44	14	90	84	3	32
45	14	64	85	3	13

प्रारूप 1

विकल्पीय परीक्षा के बिना पेंशन के भाग के संराशीकरण के लिए आवेदन का प्रारूप

[नियम 6(2) नियम, 7(1) नियम 13, नियम 14(1) और (2) नियम, 15(1) और (2), नियम 16(1) तथा (2) और नियम 17(1) और (2) देखिए]

(सेवानिवृत्ति के पश्चात् किन्तु सेवानिवृत्ति की तारीख से एक वर्ष के भीतर दो प्रस्तियों में प्रस्तुत किया जाए)

भाग 1

सेवा में,

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(यहाँ कार्यालय प्रधान का पदनाम

और पूरा पता उपदर्शित करें)

विषय :—विकित्तीय परीक्षा के बिना सेंशन का संरक्षीकरण
महोदय,

मैं रेल सेवा (पेंशन संरक्षीकरण) नियम, 1993 के उपबधों के अनुसार नीचे उपदर्शित अपनी पेंशन का भाग संरक्षी-
कृत करना चाहता हूँ। आवश्यक विशिष्टियाँ नीचे दी गई हैं:—

1. नाम (स्पष्ट शब्दों में)
2. पिता का नाम (महिला रेल सेवक की दशा में पति का नाम)
3. सेवा निवृत्ति के समय पद का नाम
4. कार्यालय/विभाग/मंत्रालय का नाम जिसमें नियोजित था
5. जन्म की तारीख (इसवीं सन् में)
6. सेवानिवृत्ति की तारीख
7. पेंशन का वह वर्ष जिस पर सेवानिवृत्ति हुआ ।
8. प्राधिकृत पेंशन की रकम (यदि पेंशन की अंतिम रकम प्राधिकृत नहीं की गई है तो रेल सेवा (पेंशन) नियम, 1993 के नियम 91 के अधीन की गई अनंतिम पेंशन की रकम उपदर्शित करें)
9. पेंशन का वह भाग, जिसे संरक्षीकृत करने के लिए प्रस्ताव किया गया है।
10. उस लेखा अधिकारी का पदनाम जिसने पेंशन प्राधिकृत की है और यदि पेंशन संदाय आदेश जारी किया गया है तो उसका संख्यांक और तारीख
11. पेंशन के संदाय के लिए संबितरक प्राधिकारी
 - (क) खजाना/उपखजाना (खजाना/उपखजाना का नाम और पूरा पता उपदर्शित किया जाए)
 - (ख) (i) राष्ट्रीयकृत बैंक की शाखा का डाक का पूरा पता
 - (ii) बैंक खाता संख्यांक जिसमें प्रत्येक मास मासिक पेंशन जमा की जा रही है।
 - (ग) मंत्रालय/विभाग/कार्यालय का लेखा कार्यालय
 - (घ) (i) डाकघर की शाखा और डाक का पूरा पता
 - (ii) डाकघर खाता संख्यांक जिसमें प्रत्येक मास मासिक पेंशन जमा की जा रही है।

स्थान :

हस्ताक्षर

तारीख :

डाक का पता

टिप्पण:—पेंशन के संरक्षीकृत मूल्य का संदाय उस संबितरक प्राधिकारी द्वारा किया जाएगा जिससे पेंशन ली जा रही है। आवेदक को इस बात की स्वतंत्रता नहीं होगी कि वह पेंशन का संरक्षीकृत मूल्य उस संबितरक प्राधिकारी से, जिससे पेंशन ली जा रही है, भिन्न किसी संबितरक प्राधिकारी से प्राप्त करें। आवेदक की मासिक पेंशन की रकम का वह भाग (पेंशन के अधिकतम एक तिहाई तक) जो वह संरक्षीकृत करना चाहता है, उपदर्शित करना चाहिए न कि रुपयों में रकम। जो लागू न हो उसे काट दें

भाग—2

(अभिस्वीकृति)

श्री

(नाम)

. से चिकित्सीय परीक्षा के बिना पेंशन के संराशीकरण के लिए प्ररूप
(पूर्ववर्ती पदनाम)

के भाग-1 आवेदन प्राप्त किया

स्थान

हस्ताक्षर

तारीख

कार्यालय प्रधान

टिप्पणी:—यह अभिस्वीकृति हस्ताक्षरित स्थानित और दिनांकित होगी तथा प्ररूप से विलग्न करके आवेदन को दे दी जाएगी यदि प्ररूप डाक में प्राप्त हुआ है तो उसे उसी दिन अभिस्वीकार किया जाएगा और अभिस्वीकृति रजिस्ट्रीकृत लिफाफे द्वारा भेजी जाएगी।

भाग—3

लेखा अधिकारी (यहां पता और पद का नाम उपदर्शित करें) को निम्नलिखित टिप्पणी सहित अग्रेषित कि:—

- (i) आवेदक द्वारा भाग :—1 में दी गई विशिष्टियां सत्यापित कर ली गई हैं और वे सही हैं ;
- (ii) आवेदक चिकित्सीय परीक्षा के बिना संराशीकृत अपनी पेंशन का भाग पाने का पात्र है ;
- (iii) इस समय लागू सारणी के प्रति निर्देश से अवधारित संराशीकृत मूल्य रु. आता है ; और
- (iv) संराशीकरण के पश्चात् अवशिष्ट पेंशन की रकम रु. होगी ।

2. अनुरोध है कि रेल सेवा (पेंशन संराशीकरण) नियम, 1993 के नियम 16 के अनुसार पेंशन के संराशीकृत मूल्यों की रकम का संदाय प्राधिकृत करने के लिए आगे कार्रवाई की जाए।

3. प्ररूप के भाग 1 की प्राप्ति भाग 2 में अभिस्वीकार कर ली गई है जिसे आवेदक को अलग से तारीख को अग्रेषित किया गया है।

4. पेंशन का संराशीकृत मूल्य लेखा शीर्ष में विकलनीय है।

स्थान :

तारीख :

हस्ताक्षर
कार्यालय प्रधान

प्रारूप 2

चिकित्सीय परीक्षा के बिना अधिवर्षिता पेंशन के भाग के संराशीकरण के लिए आवेदन का प्ररूप जब आवेदक [बांछा करता है कि पेंशन के संराशीकरण मूल्य का संदाय आदेश द्वारा प्राधिकृत किया जाए।

[नियम 6(2), नियम 13, नियम 14 (3), नियम—15(1) और नियम 16(3) देखिए]
(सेवानिवृत्ति की तारीख से कम से कम तीन मास पूर्व दो प्रतियों में प्रस्तुत किया जाए)

भाग, 1

सेवा में,

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(यहां कार्यालय प्रधान का पदनाम और पूरा पता उपदर्शित करें)

विषय—चिकित्सीय परीक्षा के बिना पेंशन का संराशीकरण

महोदय,

मैं रेल सेवा (पेंशन संराशीकरण) नियम, 1993 के उपबंधों के अनुसार अपनी पेंशन का एक भाग संराशीकृत करना चाहता हूं।
प्रावश्यक विशिष्टियां नीचे दी गई हैं:—

1. नाम (स्पष्ट अक्षरों में)
2. पिता का नाम (और महिला सरकारी सेवक की वशा में पति का नाम भी)
3. पदनाम
4. कार्यालय/विभाग/मंत्रालय का नाम जिसमें वह नियोजित था
5. जन्म की तारीख (ईसवी सन् में)
6. अधिवाषिता में पर भारतीय रेल स्थापन संहिता के नियम 180 के अधीन मंजूर सेवा में विस्तार की सम्पत्ति पर सेवा निवृत्ति की
7. अधिवाषिता पेंशन का वह भाग जिसके संराशीकरण के लिए प्रस्ताव किया गया है
8. वह संकिन्नक प्राधिकारी जिससे पेंशन सेवा निवृत्ति के पश्चात् सी जानी जानी है।

(क) खजाना/उपखजाना (खजाना /उपखजाना का नाम और पूरा पता उपदर्शित करें)

(ख) (i) नामनिर्दिष्ट राष्ट्रीयकृत बैंक की शाखा और डाक का पूरा पता

(ii) बैंक का खाता संख्या जिसमें प्रत्येक मास मासिक पेंशन जमा की जानी है।

(ग) मंत्रालय/विभाग/कार्यालय का लेखा कार्यालय

स्थान :

तारीख :

हस्ताक्षर

डाक का वर्तमान पता

सेवानिवृत्ति के पश्चात् डाक का पता

आवेदक को मासिक पेंशन की रकम का वह भाग (पेंशन के अधिकतम एक तिहाई के अधीन रहते हुए) जो वह संराशीकृत करना चाहता/चाहती है उपदर्शित करने चाहिए न कि रुपयों में रकम

* जो लागू न हो उसे काट दें।

भाग—2

अभिस्वीकृति

श्री/श्रीमती/कुमारी

नाम (पदनाम) से चिकित्सीय परीक्षा के बिना पेंशन के भाग के संराशीकरण के लिए प्रारूप के भाग 1 में आवेदन प्राप्त किया।

स्थान :

हस्ताक्षर

तारीख :

कार्यालय प्रधान

टिप्पणी . यदि आवेदन अधिवर्षिता पर सेवा निवृत्ति की तारीख से पूर्व कार्यालय प्रधान द्वारा प्राप्त किया गया है, तो यह अभिस्वीकृति प्रारूप में बिलग करके आवेदक को देनी चाहिए। यदि प्रारूप आक द्वारा प्राप्त किया गया है, तो उसे उसी तारीख को अभिस्वीकार किया जाना है और अभिस्वीकृति रजिस्ट्रीकृत लिफाफे द्वारा आवेदक को भेजी जानी है। यदि वह विनिर्दिष्ट तारीख के पश्चात् प्राप्त होता है, तो उसे भी तभी स्वीकार किया जाना चाहिए जब उसे उस तारीख या उसके पहले एक में डाला गया हो किन्तु यह आवेदक द्वारा उस आशय का साक्ष्य प्रस्तुत करने के अधीन रहते हुए होना

भाग—3

लेखा अधिकारी (यहां नाम और पदनाम उपर्युक्त करें)

को निम्नलिखित टिप्पणी सहित अप्रेषित कि:—

- (1) (i) आवेदक द्वारा भाग 1 में दी गई विशिष्टता सत्यापित कर ली गई है और वे सही हैं—
- (ii) आवेदक चिकित्सीय परीक्षा के बिना अपनी संराशीकृत पेंशन का भाग पाने का पात्र है;
- (iii) इस समय लागू सारणी के प्राप्त निदेश से अवधारित पेंशन का संराशीकृत मूल्य है, आता है; और
- (iv) संराशीकरण के पश्चात् अवशिष्ट पेंशन की रकम होगी

2 आवेदक के सभी प्रकार के पूर्ण पेंशन कागज पत्र मंत्रालय/विभाग कार्यालय पत्र सं. तारीख के अधीन अप्रेषित किए गए थे। अनुरोध है कि पेंशन के संराशीकृत मूल्य का संघाय पेंशन संघाय आवेदन द्वारा प्राधिकृत किया जाए जो कि आवेदक की सेवा निवृत्ति के एक मास पूर्व जारी किया जा सकता है।

3. प्रारूप के भाग 1 की प्राप्ति भाग 3 में अभिस्वीकार कर ली गई है जिसे आवेदक को अलग से तारीख, को अप्रेषित किया गया है।

4. पेंशन का संराशीकृत मूल्य लेखा शीर्ष में विकल्पनीय है।

स्थान :

हस्ताक्षर

तारीख :

कार्यालय प्रधान

प्रारूप—3

पेंशन संराशीकरण नियमों के नियम 20 में निर्दिष्ट आवेदक द्वारा चिकित्सीय परीक्षा के पश्चात् पेंशन के संराशीकरण के लिए आवेदन का प्रारूप।

नियम 6(2), नियम 10(3), नियम 14(2) नियम 15(2), नियम 20 नियम, 21(1) (2) और (3) नियम 22(1) और नियम 26(2) देखिए

(दो प्रतियों में प्रस्तुत किया जाए)

सेवा में,

(यहाँ कार्यालय प्रधान का पदनाम और पूरा पता उपदर्शित करें)

विषय : चिकित्सीय परीक्षा के पश्चात् पेंशन का सारांशीकरण

महोदय,

मैं रेल सेवा (पेंशन सारांशीकरण) नियम, 1993 के उपबंधों के अनुसार अपनी पेंशन का एक भाग सारांशीकृत करना चाहता हूँ। मेरे फोटो की एक अनुप्रमाणित प्रति आवेदन पत्र पर चिपकी हुई और अनुप्रमाणित प्रति संलग्न है। आवश्यक विशिष्टियाँ नीचे दी गई हैं :—

1. नाम (स्पष्ट अक्षरों में)
2. पिता नाम (और महिला रेल सेवक की दशा में पति का नाम भी)
3. पदनाम
4. कार्यालय/विभाग/मंत्रालय का नाम जिसमें वह नियोजित था।
5. जन्म की तारीख (ईसवी सन् में)
6. सेवा निवृत्ति की तारीख
7. पेंशन का वह वर्ग जिस पर वह सेवानिवृत्त हुआ।
(रेल सेवा पेंशन नियम, 1993 का अध्याय 5 देखिए)
8. प्राधिकृत पेंशन की रकम (यदि पूर्ण पेंशन प्राधिकृत नहीं है तो अनंतिम पेंशन की रकम उपदर्शित करें)
- 9.* पेंशन का वह भाग जिसके सारांशीकरण के लिए प्रस्ताव किया गया है।
10. उस लेखा अधिकारी का पदनाम जिसने पेंशन को प्राधिकृत किया था और पेंशन संदाय आदेश का संख्यांक और तारीख।
11. **पेंशन के संदाय के लिए संवितरक अधिकारी—
(क) खजाना/उपखजाना (खजाना/उपखजाना का नाम और पूरा पता उपदर्शित किया जाए)
(ख) (i) राष्ट्रीयकृत बैंक की शाखा और डाक का पूरा पता
(ii) बैंक खाता संख्यांक जिसमें प्रत्येक मास मासिक पेंशन जमा की जा रही है।
(ग) मंत्रालय/विभाग/कार्यालय का लेखा कार्यालय
(घ) (i) डाकघर की शाखा और डाक का पूरा पता
(ii) डाकघर खाता संख्यांक जिसमें प्रत्येक मास मासिक पेंशन जमा की जा रही है।
12. अनुमानित तारीख जिससे सारांशीकरण प्रभावी करने की वांछा की गई है।
13. पहले ही सारांशीकृत पेंशन की रकम, यदि कोई है।
14. उस स्थान के लिए अधिमान जहाँ चिकित्सीय परीक्षा करने की वांछा की गई है।

हस्ताक्षर

स्थान :

डाक का पता—

तारीख :

*आवेदक को मासिक पेंशन की रकम का वह भाग (पेंशन का अधिकतम एक तिहाई के अधीन रहते हुए) जिसे वह सारांशीकरण करना चाहता है, उपदर्शित करना चाहिए न कि रुपयों में रकम।

** जो लागू न हो उसे काट दें।

टिप्पण : पेंशन के सारांशीकृत मूल्य का संदाय संवितरक प्राधिकारी द्वारा किया जाएगा जिससे पेंशन ली जा रही है। आवेदक को इस बात की स्वतंत्रता नहीं होगी कि वह पेंशन का सारांशीकृत मूल्य उस संवितरक प्राधिकारी से जिसमें पेंशन ली जा रही है, भिन्न किसी संवितरक प्राधिकारी से प्राप्त करें।

भाग-2

अभिस्वीकृति

श्री _____ से चिकित्सीय परीक्षा के पश्चात् पेंशन के भाग में संशोधन के लिए
नाम (पदनाम)

प्ररूप 3 के भाग 1 में आवेदन प्राप्त किया।

स्थान :

तारीख :

हस्ताक्षर

कार्यालय प्रधान

भाग-3

लेखा अधिकारी _____

(पता और पदनाम)

_____ को इस टिप्पणी सहित अधिष्ठित कि आवेदक द्वारा भाग 1 में दी गई विशिष्टियां सत्यापित कर
की गई है और वे सही है तथा आवेदक चिकित्सीय परीक्षा के पश्चात् अपनी संशोधित पेंशन का भाग पाने का पात्र है।

2. अनुरोध है कि इस प्ररूप का भाग 4, पूरा किया जाए और इस कार्यालय को यथाशीघ्र लौटा दिया जाए।

(कार्यालय प्रधान)

स्थान _____

तारीख _____

भाग-4

(लेखा अधिकारी द्वारा पूरा किया जाए)

1. आवेदक का नाम
2. जन्म की तारीख (ईसवीं सन् में)
3. सेवानिवृत्ति की तारीख
4. पेंशन की रकम, जिसके अंतर्गत अन्तिम पेंशन भी है, यदि अन्तिम पेंशन प्राधिकृत नहीं की गई है।
5. पेंशन का वर्ग रेल सेवा (पेंशन) नियम, 1993 का अध्याय 5 देखें
6. पेंशन की रकम जिसे संशोधित करने की वांछा की गई है।

निम्नलिखित के आधार पर

सामान्य आयु	जोड़े गए वर्ष	
	1 वर्ष	2 वर्ष
रु.	रु.	रु.

7. (i) यदि संशोधन आवेदक के जन्म की अगली तारीख के, जो _____ है पूर्व अन्तिम हो
जाता है तो संदेय रकम
(ii) यदि संशोधन आवेदक के जन्म की अगली तारीख के, जो _____ है, पश्चात् अन्तिम हो जाता
है तो संदेय रकम
8. लेखा शीर्ष जिसमें संशोधित मूल्य विकलनीय है।
9. संलग्नकों की संख्या, यदि कोई है।
(नीचे टिप्पण देखें)

स्थान :

तारीख :

लेखा अधिकारी

के हस्ताक्षर और पदनाम

प्रतिहस्ताक्षर

(कार्यालय प्रधान)

पूरा पता

टिप्पण : यदि आवेदक को अग्रगत पेंशन मंजूर की गई है या उसने पहले अपनी पेंशन का एक भाग संशोधित किया है या वास्तविक
आयु में जोड़े गए वर्षों के आधार पर संशोधन को स्वीकार करने से इंकार किया है या अस्वस्थता के आधार पर संशो-
धन नार्मजूर कर दिया गया है तो लेखा अधिकारी को प्ररूप के साथ आवेदक के मामले की रिपोर्ट या विवरण की एक
प्रति संलग्न की जानी चाहिए।

प्ररूप 4

मुख्य प्रशासनिक चिकित्सा प्राधिकारी को पत्र का प्ररूप [नियम 21(3) और (4) तथा नियम 29(5) और नियम 32(2) देखिए]

(कृपया उपाबंध देखिए)

स. _____
भारत सरकार
_____मंत्रालय
_____विभाग
तारीख _____

सेवा में,

विषय: चिकित्सीय परीक्षा—पेंशन का संराशीकरण

महोदय,

श्री _____ ने, जो _____ के रूप में मेयानिवृत्त हुए हैं, एक (पदनाम)

मुश्त संदेय के लिए अपनी पेंशन के एक भाग के संराशीकरण के लिए आवेदन किया है। निम्नलिखित दस्तावेज इसके साथ प्रेषित किया जा रहा है:—

(क) मूल रूप में प्ररूप 3 में आवेदन जिसके साथ निम्नलिखित है:—

(1) आवेदक के फोटो की एक अनुप्रमाणित प्रति।

(2) लेखा अधिकारी द्वारा मम्पू रूप से पूरा किया गया मूल रूप में प्ररूप 3 का भाग 4।

(ख) प्ररूप 5 की एक प्रति, जिसके साथ उस प्ररूप के भाग 3 की एक अतिरिक्त प्रति है।

(ग) यदि आवेदक को नि.जस्ता पेंशन मंजूर की गई है या उसने पहले अपनी मंजूर पेंशन के एक भाग का संराशीकरण किया है या वास्तविक आयु में जोड़े गए वर्षों के आधार पर संराशीकरण को बीकार करने से इंकार किया है या अस्वस्थता के आधार पर संराशीकरण नामंजूर कर दिया गया है, तो आवेदक के मामले की रिपोर्ट या विवरण।

2. रेल सेवा (पेंशन) नियम, 1993 के नियम 23 के निबंधनों के अनुसार, श्री _____ की परीक्षा चिकित्सा बोर्ड। ऐसे चिकित्सा अधिकारी द्वारा, जो सिविल सर्जन या जिला चिकित्सा अधिकारी की पंक्ति से नीचे का न हो, की जानी चाहिए। अनुरोध है कि श्री _____ की परीक्षा यथासंभव शीघ्रता के साथ उनके जन्म की प्रगली तारीख के, जो _____ से, पूर्ण करने की व्यवस्था करें।

3. अनुरोध है कि ऊपर पैरा 2 में उपरिष्ठित चिकित्सा प्राधिकारी द्वारा चिकित्सीय परीक्षा के लिए व्यवस्था श्री _____ द्वारा प्ररूप 2 में उसके आवेदन में उल्लिखित निकटतम उपलब्ध स्थान पर की जाए। चिकित्सा प्राधिकारी का ध्यान रेल (पेंशन संराशीकरण) नियम, 1993 के नियम 26 के उपबंध की ओर करा दें।

4. अनुरोध है कि श्री _____ को, इस मंत्रालय/विभाग कार्यालय के संसूचना देते हुए सीधे सूचित कर दें कि उसे कब और कहाँ चिकित्सीय परीक्षा के लिए समुचित प्राधिकारी के समक्ष उपस्थित होना चाहिए। इस पत्र की एक प्रति उसे पृष्ठांकित की जा रही है जिसमें कि वह आपसे सूचना प्राप्त होने पर आपके अनुदेशों का अनुपालन कर सकें।

5. कृपया इस पत्र की प्राप्ति अभिस्वीकार करें।

भवदीय,
(कार्यालय प्रधान)

प्रति श्री— (यहाँ डाक का पूरा पता दें) को इस टिप्पणी के साथ अप्रेषित कि चिकित्सा प्राधिकारी द्वारा संराशीकरण के संबंध में सिफारिश के अधीन रहते हुए, वह लेखा अधिकारी की रिपोर्ट, के आधार पर संराशीकृत की जाने वाली पेंशन की रकम के बचने एकमुश्त संदाय के लिए निम्नलिखित रूप में पात्र होगा —

निम्नलिखित के आधार पर

सामान्य आयु	जोड़े गए वर्ष	
	1 वर्ष	2 वर्ष
र.	र.	र.
(1) यदि संराशीकरण आवेदक के जन्म की अगली तारीख के, जो— है, पूर्व अंतिम हो जाता है तो संदेय रकम।		
(2) यदि संराशीकरण आवेदक के जन्म की अगली तारीख के, जो— है पश्चात् अंतिम हो जाता है तो संदेय रकम		

वर्तमान मूल्य की सारणी में, जिसके आधार पर लेखा अधिकारी द्वारा संगणना की गई है, बिना सूचना दिए किसी भी समय परिवर्तन किया जा सकता है और परिणामस्वरूप संदाय किए जाने से पूर्व ऐसे आधार को भी संशोधित किया जा सकता है। संदेय रकम उस तारीख के पश्चात जिसको संगणनीकरण अंतिम हो जाता है, आवेदक के जन्म की अगली तारीख को उसी आयु के यदि चिकित्सा प्राधिकारी निर्देश देता है कि उस आयु में वर्ष जोड़े जाएंगे तो उसके परिणामस्वरूप मानी गई आयु के अनुसार समुचित रकम होगी।

श्री— को चिकित्सीय परीक्षा के लिए चिकित्सा प्राधिकारी के समक्ष—से सूचना प्राप्त होने पर सीधे रिपोर्ट करनी चाहिए। उसे अपने साथ संलग्न प्ररूप 5 और पूरी करके वे विशिष्टियां जो भाग 1 में अपेक्षित हैं, भेजना चाहिए, मित्राय हस्पताल या जंगूटे या उंगली की छाप के।

स्वान—

हस्ताक्षर

तारीख—

कार्यालय प्रधान

प्रति लेखा अधिकारी— (यहाँ पदनाम और पता उपदर्शित करें) को उनके पत्र सं. . .
तारीख— के संबंध में अप्रेषित।

हस्ताक्षर
(कार्यालय प्रधान)

प्ररूप 5

द्वारा चिकित्सा परीक्षा

(यहाँ चिकित्सा प्राधिकारी का नाम लिखें)

[नियम 7 (1), नियम 21 (अ), नियम 26(1), (2) और (3), नियम 27 (3), नियम 28(1) और (3), नियम 29(2) और नियम 3(1) देखिए]

भाग 1

आवेदक— द्वारा उसकी
(यहाँ चिकित्सा प्राधिकारी का नाम दें)

परीक्षा की जाने के पूर्व यह विवरण पूरा करें और उस प्राधिकारी की उपस्थिति में इसके संलग्न घोषणा पर हस्ताक्षर करें।

1. आवेदक का नाम (स्पष्ट अक्षरों में)
2. जन्म की तारीख (ईसवी सन् में)
3. जन्म-स्थान
4. माता-पिता भाई और बहनों की वास्तव विशिष्टियां

पिता की आयु यदि जीवित है और स्वास्थ्य की दशा	मृत्यु के समय पिता की आयु और मृत्यु का कारण	जीवित भाइयों की संख्या, उनकी आयु और स्वास्थ्य की दशा	मृत भाइयों की संख्या मृत्यु के समय उनकी आयु और मृत्यु का कारण
1	2	3	4
माता की आयु यदि जीवित है और स्वास्थ्य की दशा	मृत्यु के समय माता की आयु और मृत्यु का कारण	जीवित बहनों की संख्या, उनकी आयु और स्वास्थ्य की दशा	मृत बहनों की संख्या मृत्यु के समय उनकी आयु और मृत्यु का कारण
5	6	7	8

5. क्या आपकी कभी चिकित्सीय परीक्षा हुई है—

(क) जीवन बीमा के लिए, या/और

(ख) किसी गैल/सरकारी चिकित्सा अधिकारी या राज्य चिकित्सा बोर्ड द्वारा, यदि हां तो उसके परिणाम सहित ब्यौरा दें।

6. क्या आपको निशक्तता पेंशन मंजूर की गई है या मंजूर करने के लिए विचार किया गया है। यदि हां तो उसका आधार बताएं।

7. क्या आप को गत पांच वर्षों के दौरान चिकित्सा प्रमाणपत्र पर कभी छुट्टी मंजूर की गई है। यदि हां, तो छुट्टी की अवधि बीमारी की प्रकृति का उल्लेख करें।

8. (क) क्या आप को कभी—

(क) चेचक, सविराम या किसी अन्य प्रकार के ज्वर, ग्रंथियों में वृद्धि या सूजन रक्त थूकने वाला, क्षमा, फेंफड़ों का शोष फुफुसावरण शोष प्लूप्सी (हृदय रोग, मृच्छा के बीरे, वात रोग, एपेंडीसाइटिस, मिरगी, उन्मुक्तता या अन्य तंत्रिका रोग, कर्ण से स्राव या उस का अन्य रोग, सिफलिस या गेनेरिया हुआ था, या

(ख) ऐसा कोई अन्य रोग या क्षति हुई थी जिसमें बिस्तर में पड़े रहना या चिकित्सीय शल्य उपचार आवश्यक था, या

(ग) कोई शल्य क्रिया हुई थी, या

(घ) सक्रिय सेवा में रहने के दौरान कोई बीमारी, घाव या क्षति हुई थी;

(ङ) मूखमें एल्बूमिन या शर्करा का होना।

9. स्वास्थ्य की वर्तमान दशा—

(क) क्या आप को हानिया है ?

(ख) क्या आप को मुष्कशिरास्फीति (बेरीकोसिल) अपस्फीत शिरा बवाशिर है ?

(ग) क्या आप को प्रत्येक नेत्र की दृष्टि ठीक है (चश्मा के साथ या उसके बिना) ?

(घ) क्या आप को प्रत्येक कर्ण की श्रवण शक्ति ठीक है ?

(ङ) क्या आप को कोई जन्मजाति या अर्जित कुसुपता, दोष या अंग विकार है ?

(च) क्या आपके पिछले तीन वर्षों के दौरान वजन में विशिष्ट रूप से कमी या वृद्धि हुई है ?

6. क्या आपने 3 मास में किसी चिकित्सक से उपचार कराया है और उस बीमारी की प्रकृति जिसके लिए ऐसा उपचार कराया गया है।

भावेदक द्वारा घोषणा

(चिकित्सा प्राधिकारी की उपस्थिति में हस्ताक्षर किए जाएं)

मैं घोषणा करता हूं कि उपर्युक्त उत्तर मेरे सर्वोत्तम विश्वास के अनुसार सत्य और सही है।

मैं भली-भांति जानता हूँ कि जानबूझ कर मिथ्या विवरण देने या सुसंगति रख्य छिपाने से मुझे उस संराशीकरण को, जिसके लिए मैंने आवेदन किया है खोने की-और रेल सेवा (पेसन) नियम, 1993 के नियम 8 के अधीन मेरी पेंशन को विधायित्व के लिए जाने या वापस ले जाने की ओर ध्यान देना पड़ेगी।

आवेदक के हस्ताक्षर या आवेदक के साक्ष्य न होने की दशा में अंगठे की छाप की उपस्थिति में हस्ताक्षरित

(चिकित्सा प्राधिकारी के हस्ताक्षर और पदनाम)।

भाग 2

(चिकित्सीय परीक्षा करने वाले चिकित्सा प्राधिकारी द्वारा भरा जाए)

1. दृश्यमान आयु
2. लंबाई
3. वजन
4. आवेदक के किन्हीं क्षय चिह्नों या पहचान चिह्नों का वर्णन करें।
5. नाड़ी की गति
 - (क) बैठने पर
 - (ख) खड़े होने पर

नाड़ी का लक्षण क्या है।

6. रक्त चाप
 - (क) प्रकुंचक
 - (ख) अनुगुणितलक
7. क्या निम्नलिखित प्रमुख अंगों में रोग का कोई लक्षण है—
 - (क) हृदय
 - (ख) फेफड़ा
 - (ग) जिगर
 - (घ) तिल्ली
 - (ङ) गुर्दा
8. अन्वेषण
 - (1) मूत्र (विनिर्दिष्ट गुरुत्व का उल्लेख करें)
 - (2) रक्त
 - (3) सीने का एक्सरे
 - (4) ई. सी. जी.
9. क्या आवेदक को हर्निया है।

(यदि हाँ तो उसके प्रकार का और यदि अपभ्रंश है तो उसका उल्लेख करें)
10. कोई अतिरिक्त निष्कर्ष

भाग 3

(परीक्षा करने वाले चिकित्सा प्राधिकारी द्वारा भरा जाए)

मैंने/हमने श्री/श्रीमती/कुमारी _____ की मावधानपूर्वक परीक्षा की है और मेरी/हमारी यह राय है कि—

उसका शारीरिक स्वास्थ्य अच्छा है और संभावना है कि यह औसत आयु तक जीवित रहेगा/रहेगी या उसका स्वास्थ्य अच्छा नहीं है और वह संराशीकरण के लिए योग्य नहीं है।

या

यद्यपि वह _____ से पीड़ित है, फिर भी उसे संराशीकरण के लिए योग्य समझा जाता है किन्तु उसकी संराशीकरण के प्रयोजन के लिए आयु अर्थात् उनके जन्मदिन की आयु को उसकी वास्तविक आयु में शब्दों में वर्ष अधिक माना जाना चाहिए।

स्टेशन _____
तारीख _____

परीक्षा करने वाले अधिकारी प्राधिकारी
के हस्ताक्षर और पदनाम

प्रारूप 6

(नियम 8 देखिए)

सेवा में

कार्यालय प्रधान
(स्थान) —

में _____ रेल सेवा (पेंशन संराशीकरण)
(पेंशन भोगी का स्पष्ट अक्षरों में नाम)

नियम, 1993 के नियम 8 के अधीन नीचे नामित व्यक्ति को नामनिर्दिष्ट करता हूं।

नामनिर्देशिनी का नाम और पता	पेंशन भोगी के साथ नातेदारी	यदि नाम निर्दिष्ट व्यक्ति अवयस्क है	स्तम्भ (ii) के अधीन नामनिर्देशिनी की पेंशन भोगी से पहले मृत्यु हो जाने की दशा में अन्य नाम-निर्देशिनी का नाम और पता
1	2	जन्म की तारीख और पता जो नाम-निर्देशिनी की अवयस्कता के दौरान उक्त संराशी-कृत मूल्य प्राप्त करे	3 4 5
पेंशन भोगी के साथ नातेदारी	यदि अन्य नाम-निर्देशिनी अवयस्क है तो जन्म की तारीख	उस व्यक्ति का नाम और पता जो अन्य नामनिर्देशिनी की अवयस्कता के दौरान पेंशन का संराशीकृत मूल्य प्राप्त करे	जिसके आकस्मिक होने पर नामनिर्देशिनी प्रविधिमान्य हो जाएगा
6	7	8	9

स्थान _____
तारीख _____

पेंशन भोगी के हस्ताक्षर (या साक्षर न हों तो अंगूठे की छाप) और नाम और पता कार्यालय प्रधान के हस्ताक्षर मोहर

साक्षी हस्ताक्षर

नाम और पता _____

कार्यालय प्रधान द्वारा भेजी जाने वाली अभिस्वीकृति

प्रमाणित किया जाता है कि _____ से नामनिर्देशित प्राप्त किया गया
(पेंशन भोगी का नाम)

व्यक्ति का पता _____

स्थान _____

तारीख :

कार्यालय प्रधान के हस्ताक्षर
पूरा पता

प्रोफार्मा

[विनिश्चय (2), नियम 11 देखिए]

विषय: 15 वर्षों के पश्चात पेंशन के संराशीकृत भाग का प्रत्यावर्तन—उच्चतम न्यायालय के निर्णय का क्रियान्वयन।

महोदय,

कृपया पेंशन के मेरे संराशीकृत भाग को रेल मंत्रालय के पत्र संख्यांक एक (ई) 111/87/एम/1/7 तारीख 26-3-1987 के अधीन अग्रेषित कार्मिक, लोक शिकायत और पेंशन मंत्रालय के पेंशन और पेंशन भोगी कल्याण विभाग के कार्यालय ज्ञापन सं. 34/2/86 धी और डब्ल्यू तारीख 5 मार्च, 1987 के निर्बंधनों के अनुसार पेंशन प्रत्यावर्तित कर दें। अपेक्षित विशिष्टियां नीचे दी गई हैं:—

1. नाम (स्पष्ट अक्षरों में)
2. सेवा निवृत्ति की तारीख
3. पी० सी०/पी० पी० ओ० सं०
4. मूल पेंशन की रकम
5. संराशीकृत पेंशन की रकम, यदि कोई हो
6. लेखा अधिकारी का नाम, अर्थात् प्राधिकारी जिसने पी.सी./पी.सी.ओ. जारी किया था।
7. खजाना/डाकघर/पी.पी.एम./अन्य पेंशन संवितरक अभिकरण का नाम

तारीख :

डाक का पता :

पेंशन भोगी के हस्ताक्षर

विशिष्ट सत्यापित की गई

पेंशन संवितरक प्राधिकारी की हस्ताक्षर
रबड़ की मोहर

राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ: (1) इन नियमों का संक्षिप्त नाम रेल सेवा (असाधारण पेंशन) नियम, 1993 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे

2. लागू होना—ये नियम, उन रेल सेवकों से, जिनको कर्मकार प्रतिकर अधिनियम, 1923 (1923 का 8) लागू होता है, भिन्न सभी रेल सेवकों को लागू होंगे, चाहे उनकी नियुक्ति स्थायी है या अस्थायी, चाहे वे समय बेतनमान में है या नियत बेतनमान में या मात्रानुपाती काम दर पर है, जो राष्ट्रपति के नियंत्रण करने वाले नियम के अधीन हैं, और जिन्होंने 1 अप्रैल, 1937 को या उसके पश्चात रेल सेवा में प्रवेश किया है या जो रेल सेवा में प्रवेश करते हैं, या जिन्होंने 1 अप्रैल, 1937 के पूर्व ऐसी सेवा में प्रवेश करने के पश्चात उस तारीख की किसी स्थायी पद पर धारणाधिकार या निर्लंबित धारणाधिकार धारण नहीं किया था।

टिप्पण—किसी ऐसे रेल सेवक के संबंध में, जिसे 1 जनवरी, 1938 को या उसके पश्चात संयुक्त राष्ट्र निकायों के अधीन विदेश सेवा में प्रतिनियुक्त किया गया है और जिसे 2770 GI/93—13

‘सहयुक्त सदस्य’ के रूप में संयुक्त राष्ट्र संयुक्त कर्मचारिवृन्द पेंशन निधि में सम्मिलित होने के लिए अनुज्ञात किया गया है, इन नियमों के अधीन कोई अधिनिर्णय नहीं किया जाएगा।

3. इन नियमों के प्रयोजन के लिए, जब तक कि विषय या संदर्भ में कोई बात विरुद्ध न हो,—

(1) “दुर्घटना” से अभिप्रेत है—

- (i) अचानक और अपरिहार्य दुर्घटना; या
- (ii) सेवा से और उसके अनुक्रम में हिंसा से अन्यथा उद्भूत होने वाले किसी आपात में कर्त्तव्य के प्रति निष्ठा के किसी कार्य के कारण दुर्घटना;

(2) ‘क्षति की तारीख’ से अभिप्रेत है—

- (i) दुर्घटना या हिंसा की दशा में, वह वास्तविक तारीख, जिसको क्षति होती है या ऐसी तारीख, जो चिकित्सा बोर्ड की रिपोर्ट की तारीख के अपश्चात न हो, जैसा राष्ट्रपति नियत करें; और
- (ii) रोग की दशा में, वह तारीख, जिसको चिकित्सा बोर्ड रिपोर्ट करता है या ऐसी पूर्वतम तारीख, जो राष्ट्रपति द्वारा चिकित्सा बोर्ड की राय का सम्यक ध्यान रखते हुए नियत की जाए;

(3) “क्षति” से ऐसी कोई क्षति अभिप्रेत है जो अनुसूची 1 में वर्णित है। स्थायी पूर्ण निःशक्तता अनुसूची 1 के भाग 1

में विनिर्दिष्ट प्रत्येक क्षति से या उस अनुसूची के भाग 2 में विनिर्दिष्ट क्षतियों के किसी समुच्चय से हुई वहाँ समझी जाएगी जहाँ उपार्जन सामर्थ्य की हानि का कुल प्रतिशत (निःशक्तता का प्रतिशत) शून्य प्रतिशत या अधिक है। अनुसूची 1 के भाग 2 में विनिर्दिष्ट प्रत्येक क्षति स्थायी आंशिक निःशक्तता में हुई समझी जाएगी।

(4) “रोग” से ऐसा कोई रोग अभिप्रेत है जो अनुसूची 2 में वर्णित है;

(5) “वेतन” से भारतीय रेल स्थापन संहिता के नियम 1303 के खंड (i) में यथापरिभाषित मूल वेतन अभिप्रेत है जिसे कोई व्यक्ति अपनी मृत्यु या क्षति की तारीख को ले रहा था और इसके अन्तर्गत चिकित्सा अधिकारियों को प्राइवेट प्रैक्टिस के बवले में मंजूर किया गया प्रैक्टिस बंदी भत्ता भी है;

परन्तु किसी ऐसे व्यक्ति की दशा में, जो मात्रानुपाती काम दरों के आधार पर पारिश्रमिक पाता था, “वेतन” से उसकी मृत्यु या क्षति की तारीख की समाप्ति से पिछले छह मास का औसत उपार्जन अभिप्रेत है;

(6) ‘अनुसूची’ से इन नियमों में उपावद्ध अनुसूची अभिप्रेत है;

(7) “हिंसा” से किसी व्यक्ति का वह कार्य अभिप्रेत है, जो किसी रेल सेवक को—

(i) हमला करके या उसके कर्तव्यों के निर्वहन में उसका प्रतिरोध करके, या भयोपरन करने या उसके कर्तव्यों का पालन करने से उसे रोकने के लिए क्षति करता है; या

(ii) इस प्रकार उसके कर्तव्य के विधिपूर्ण निर्वहन में ऐसे रेल सेवक द्वारा या किसी अन्य लोक सेवक द्वारा कोई बात करने या करने के प्रयत्न किए जाने के कारण क्षति करता ; या

(iii) उसके शासकीय पद के कारण क्षति करता है।

4. (1) (क) निःशक्तता को रेल सेवा के कारण के रूप में स्वीकार किया जाएगा, परन्तु वह तब जब कि यह प्रमाणित किया जाता है कि यह उस घाव, क्षति या रोग के कारण है, जो

(i) रेल सेवा के कारण माना जा सकने वाला है, या

(ii) पहले से विद्यमान था या रेल सेवा के दौरान उत्पन्न हुआ और उससे गुरुतर हो गया है तथा गुरुतर बना रहता है।

(ख) मृत्यु को रेल सेवा के कारण के रूप में स्वीकार किया जाएगा, परन्तु यह तब जबकि यह प्रमाणित किया जाता कि यह—

(i) किसी ऐसे घाव, क्षति या रोग के कारण, जो रेल सेवा के कारण माना जा सकता था, या उसमें शीघ्रता से वृद्धि हो जाने के कारण हुई थी, या

(ii) किसी ऐसे घाव, क्षति या रोग के, जो पहले से विद्यमान था या रेल सेवा के दौरान उत्पन्न हुआ, रेल सेवा के गुरुतर हो जाने के कारण हुई थी या उसमें शीघ्रता से वृद्धि हो जाने के कारण हुई थी।

(2) माना जाने योग्य या गुरुतर मान्य होने के लिए,

(क) निःशक्तता और रेल सेवा,

(ख) मृत्यु और रेल सेवा,
के बीच आकस्मिक संबंध होगा।

इन नियमों से संलग्न परिशिष्ट में यथाउपबंधित इस निमित्त मार्गदर्शक सिद्धान्त इन नियमों के भाग समझे जाएंगे।

स्पष्टीकरण—नए (पुनरीक्षित) प्ररूप ‘ग’, प्ररूप ‘घ’ से यह पता चलेगा कि चिकित्सीय प्रमाणपत्रों के इन प्ररूपों को इस प्रकार परिकल्पित किया गया है कि उनमें यह उपदर्शित होगा कि नियम 4 में अधिकथित हफ्तवारी मानदंडों को पूरा किया गया है या नहीं। अतः सामान्यतया उन निमित्त किन्हीं अन्य पृथक प्रमाणपत्रों की आवश्यकता नहीं हो सकेगी। संबद्ध प्रशासनिक अधिकारी और लेखा अधिकारी के लिए यह अत्यावश्यक होगा कि वे अपना समाधान करें कि वस्तुतः मृत्यु या निःशक्तता रेल सेवा के कारण मानी जा सकती है या उनमें गुरुतर हो जाने के कारण है, जिसके आधार पर ही असाधारण पेंशन अधि-निर्णय ग्राह्य है और उस प्रयोजन के लिए, इन दोनों प्राधि-कारियों के लिए यह अत्यावश्यक है कि वे उस निमित्त अपना समाधान करें और किसी विशिष्ट मामले में, (यथास्थिति), निःशक्तता और रेल सेवा के बीच या मृत्यु और रेल सेवा के बीच उस मामले से संबंधित चिकित्सा और अन्य दस्तावेजों के आधार पर नियम 4 में अधिकथित रूप में संबंध और आकस्मिक संबंध को प्रमाणित करें। यदि किसी रेल सेवक को ऐसी परिस्थितियों में मृत्यु हुई थी और स्वास्थ्य रिपोर्ट प्राप्त नहीं की जा सकी थी, तो भी सरकारी सेवा के कारण हुई मृत्यु को स्वीकार करने के पूर्व मृत्यु और रेल सेवा के बीच संबंध और आकस्मिक संबंध स्थापित करना है।

(रेल बोर्ड का पत्र सं. पी सी III/78/ई जी पी/3/पूल, तारीख 18-12-1981)

(3) इन नियमों में किसी बात के होते हुए भी, किसी रेल सेवक की ओर से व्यतिक्रम या योगदायी उपेक्षा की मात्रा को ऐसे रेल सेवक के पक्ष में इन नियमों के अधीन अधिनिर्णय करने में विचार में लिया जा सकेगा, किन्तु इस पर वहाँ ध्यान नहीं दिया जाएगा जहाँ ऐसा अधिनिर्णय ऐसे रेल सेवक के कुटुम्ब के पक्ष में किया जाता है।

टिप्पण—इस नियम के उपबंधों के अन्तर्गत सेवान्मुक्ति या सेवा से अक्षस ठहराए जाने के पश्चात मृत्यु के मामले होंगे।

5. इन नियमों के अधीन राष्ट्रपति की मंजूरी के बिना कोई अधिनिर्णय नहीं किया जाएगा।

6. इन नियमों में जैसा अन्यथा उपबंधित है उसके सिवाय, इन नियमों के अधीन किया गया अधिनिर्णय किसी अन्य पेंशन या उपदान को, जिसके लिए संबद्ध रेल सेवक या उसका कुटुम्ब तत्समय प्रवृत्त किन्हीं अन्य नियमों के अधीन पात्र हो, प्रभावित नहीं करेगा और इन नियमों के उपबंध के अधीन अनुवृत्त पेंशन को रेल सेवा में उसके निरंतर नियोजन या पुनर्नियोजन में पेंशनभोगी का वेतन नियत करते समय हिमांक में नहीं लिया जाएगा।

7. इन नियमों के अधीन अधिनिर्णय निम्नलिखित की बाबत किया जाएगा—

- (i) आवेदन की तारीख से पांच वर्ष से अधिक पूर्व हुई क्षति, या
- (ii) मृत्यु, जो—
- (क) हिंसा या हुई दुर्घटना के कारण क्षति के, या
- (ख) रेल सेवक के बारे में, उस रोग के कारण, जिससे उसकी मृत्यु हुई, कर्तव्य के लिए चिकित्सीय रूप से अयोग्य होने की रिपोर्ट की जाने के सात वर्ष से अधिक के पश्चात् हुई।

8. इन नियमों के अधीन सभी अधिनिर्णय भारत में रूपों में किए जाएंगे, जब तक कि पाने वाला किसी ऐसे देश में स्थायी रूप से निवास न करता हो और संदाय किए जाने की वांछा न करता हो जिसमें रुपया वैध मुद्रा नहीं है। पश्चात्वावर्ती मामले में, अधिनिर्णय की रकम रुपए का 1 शिलिंग 6 पेंस की विनिमय दर संदत्त स्टलिंग में संबंध किया जाएगा।

9. (1) किसी क्षति या क्षतियों के कारण निःशक्तता का प्रतिशत बहू होगा जो अनुसूची 1 में विनिर्दिष्ट है; या उसके न होने पर बहू होगा जो चिकित्सा प्राधिकारी द्वारा प्रमाणित किया जाए।

(2) अनुसूची 2 में विनिर्दिष्ट किसी रोग या रोगों के कारण निःशक्तता का प्रतिशत बहू होता जो चिकित्सा प्राधिकारी द्वारा प्रमाणित किया जाए।

10. (1) जब किसी सेवक की निःशक्तता को नियम 4 के निबंधनानुसार रेल संघ के कारण के रूप में मान लिया जाता है तब उसे निःशक्तता पेंशन उपनियम (2) या उपनियम (3) के निबंधनानुसार या एकमुश्त प्रतिकर उपनियम (4) के निबंधनानुसार संबद्ध चिकित्सा प्राधिकारी द्वारा यथाप्रमाणित (उसके द्वारा ग्रस्त) निःशक्तता के प्रतिशत के अनुसार अधिनिर्णित किया जायगा।

(2) यदि रेल सेवा अपनी निःशक्तता के कारण रेल सेवा से बाहर हो जाता है, तो शत प्रतिशत निःशक्तता के लिए निःशक्तता पेंशन की मात्रा बहू होगी जो अनुसूची 3 में विनिर्दिष्ट है। निःशक्तता के निम्नतर प्रतिशत के लिए

निःशक्तता पेंशन की मात्रा अनुपाततः निम्नतर होगी। अनुसूची 3 में दी गई न्यूनतम और अधिकतम पेंशन शत-प्रतिशत निःशक्तता के लिए मासिक निःशक्तता पेंशन परिनिर्धारण करने के लिए लागू हैं और वे शतप्रतिशत से निम्नतर निःशक्तता पेंशन की बाबत लागू नहीं हैं।

(3) यदि रेल सेवक ऐसी निःशक्तता के कारण रेल सेवा के बाहर हो जाता है और इसके अतिरिक्त, यदि चिकित्सा प्राधिकारी द्वारा यथाप्रमाणित उसकी स्थायी निःशक्तता का प्रतिशत 60 प्रतिशत में अत्यून है, तो उनकी मासिक निःशक्तता पेंशन विधवा को अनुज्ञेय कुटुम्ब पेंशन संबंधित होगी (मानों निःशक्त होने को बजाए उसकी मृत्यु हो गई हो)।

(4) यदि रेल सेवक को, ऐसी निःशक्तता होने पर भी सेवा में रखा जाता है, तो उसे निःशक्तता पेंशन के बढ़ने में) एकमुश्त प्रतिकर उपनियम (2) के उपबंध के अनुसार उसे अनुज्ञेय निःशक्तता पेंशन के आधार पर समय-समय पर प्रवृत्त सरांशीकरण सारणी के प्रति निर्देश से ऐसी निःशक्तता पेंशन के पंजीगत मूल्य में परिनिर्धारण करते हुए संदत्त किया जाएगा।

11. जब किसी रेल सेवक की मृत्यु नियम 4 के निबंधनानुसार रेल सेवा के कारण मान ली जाती है तब उसकी विधवा और निबंधनों को अनुसूची 4 के अनुसार पेंशनिक फायदे अधिनिर्णीत किए जाएंगे।

टिप्पण: यदि कोई रेल सेवक अपने पीछे दो या अधिक विधवाएं छोड़कर मर जाता है तब इस निम के अधीन विधवा की अनुज्ञेय पेंशन सभी विधवाओं में बराबर बराबर विभाजित की जाएगी।

12. (1) यदि मृत रेल सेवक ने न तो कोई विधवा छोड़ी है न कोई संतान, तो अधिनिर्णय उसके पिता और उसकी माता के पक्ष में व्यष्टितः या संयुक्त रूप से किया जाएगा और पिता तथा माता के न होने पर अवयस्क भाइयों और बहनों के पक्ष में व्यष्टितः या सामूहिक रूप से, उस दशा में किया जाएगा, यदि वे मुख्यतः रेल सेवक पर संभाल के लिए निर्भर थे और उन्हें धनीय जरूरत है।

परन्तु अधिनिर्णय की कुल रकम उस पेंशन के जो नियम 11 के अधीन विधवा को अनुज्ञेय होती, डेढ़गुना से अधिक नहीं होगी।

परन्तु यह और कि प्रत्येक अवयस्क भाई और बहन का शेयर उस संतान के लिए जो माताविहीन नहीं है, अनुसूची 4 में विनिर्दिष्ट पेंशन की रकम अधिक नहीं होगा।

(2) उपनियम (1) के अधीन किया गया कोई अधिनिर्णय, पेंशनभोगी की धनीय परिस्थितियों में सुधार होने की दशा में, ऐसी रीति से पुनर्विलोकन करने के अधीन होगा जैसी राष्ट्रपति, आदेश द्वारा, विहित करें।

टिप्पण: यदि किसी विधवा, संतान, पिता, माता, अवयस्क भाई या बहन की रेल सेवक द्वारा किए गए किसी बिल या

विलेख के अधीन उसकी संपत्ति में से किसी शेयर से वंचित कर दिया गया है, तो ऐसा व्यक्ति इन नियमों के अधीन कोई अधिनिर्णय प्राप्त करने के लिए अपात्र होगा और फायदा अगले पात्र व्यक्ति को संक्रांत हो जाएगा।

13. (1) कुटुंब पेंशन रेल सेवक की मृत्यु के अगले दिन से या ऐसी अन्य तारीख से, जो राष्ट्रपति विनिश्चित करें, प्रभावी होगी।

(2) कुटुंब पेंशन, साधारणतया,—

(i) विधवा या माता के मामले में, मृत्यु या पुनर्विवाह होने तक, इनमें से जो भी पूर्वतर हो, मान्य होगी;

(ii) अवयस्क पुत्र या अवयस्क पुत्री के मामले में, उसकी पच्चीस वर्ष की आयु प्राप्त होने तक मान्य होगी;

(iii) अविवाहित पुत्री या अवयस्क बहन के मामले में, विवाह होने तक या उसकी पच्चीस वर्ष की आयु प्राप्त होने तक, इनमें से जो भी पूर्वतर हो, मान्य होगी;

(iv) पिता के मामले में, आजीवन मान्य होगी।

टिप्पण—विधवा की कुटुंब पेंशन पुनर्विवाह होने पर समाप्त हो जाएगी, किन्तु जब ऐसा पुनर्विवाह विवाह विच्छेद, अभित्यजन या दूसरे पति की मृत्यु द्वारा बातिल हो जाता है तब उसकी पेंशन, इस सबूत के आधार पर कि वह तंगहाल परिस्थितियों में है और अन्यथा पात्र है, प्रत्यावर्तित की जा सकती है।

14. नियम 13 के उपनियम (2) के खंड (i) में किसी बात के होते हुए भी, किसी कर्मचारी की ऐसी विधवा, जो अपने मृत पति के भाई से पुनर्विवाह करती है और मृतक के अन्य आश्रितों के साथ सामुदायिक जीवन व्यतीत करती रही है, या उनके संभाल में अभिवाय करती है, असाधारण पेंशन, जो इन नियमों के अधीन उसे अन्यथा अनुज्ञेय है, के अनुदान के लिए निरहित नहीं होगी।

15. (1) प्रक्रिया के विषय की बाबत, इन नियमों के सभी अधिनिर्णय, तत्समय प्रवृत्त साधारण पेंशनों से संबंधित किन्हीं प्रक्रिया नियमों के उस विस्तार तक अधीन हैं जो ऐसे प्रक्रिया नियम लागू हैं और इन नियमों से असंगत नहीं हैं।

(2) जब किसी निःशक्तता पेंशन या कुटुंब पेंशन के लिए कोई दावा उत्पन्न होता है, तब उस कार्यालय का प्रधान या विभागाध्यक्ष, जिसमें क्षतिग्रस्त या मृत रेल सेवक नियोजित था, रेल बोर्ड की सामान्य प्रणाली के माध्यम से निम्नलिखित वस्तावेजों सहित दावे को अर्पित करेगा:—

(i) ऐसी परिस्थितियों का, जिनमें क्षति हुई थी, रोग लगा था या मृत्यु हुई थी, पूर्ण विवरण।

(ii) अनुसूची 5 में उपवर्णित, यथास्थिति, प्ररूप 'क' में निःशक्तता पेंशन के लिए आवेदन या प्ररूप 'ख' में कुटुंब पेंशन के लिए आवेदन।

(iii) रेल सेवक की क्षति की या उसकी दशा में जिसे रोग लग गया है, अनुसूची 5 में उपवर्णित प्ररूप 'ग' में स्वास्थ्य रिपोर्ट। मृत रेल सेवक की दशा में, मृत्यु के बारे में स्वास्थ्य रिपोर्ट या मृत्यु की वास्तविक घटना के बारे में विश्वसनीय साक्ष्य, यदि रेल सेवक की ऐसी परिस्थितियों में जीवन-हानि हुई है कि स्वास्थ्य रिपोर्ट प्राप्त नहीं की जा सकती;

(iv) संबद्ध लेखा अधिकारी की रिपोर्ट कि क्या नियमों के अधीन अधिनिर्णय अनुज्ञेय है और यदि हां तो, कितनी रकम।

(5) जहां रेल बोर्ड का, उस रेल सेवक द्वारा, जिसकी बाबत निःशक्तता या अन्य असाधारण पेंशन के अनुदान के प्रयोजन के लिए स्वास्थ्य रिपोर्ट उसके द्वारा प्राप्त की गई है उसके समक्ष दिए गए साक्ष्य के आधार पर उस चिकित्सा, बोर्ड, जिसने उसकी परीक्षा की थी, के विनिश्चय में निर्णय की गलती की संभावना के बारे में समाधान हो जाता है, वहां रेल बोर्ड पहले चिकित्सा बोर्ड का गठन करने वाले सदस्यों से भिन्न सदस्यों से मिल कर बने दूसरे चिकित्सा बोर्ड को अधिकारी की परीक्षा करने और इस विषय में रेल बोर्ड की रिपोर्ट प्रस्तुत करने के लिए निदेश दे सकेगा। पेंशन दूसरे चिकित्सा बोर्ड के विनिश्चय के अनुसार अधिकारी को अनुवस की जाएगी।

16. आदेशों और परिपत्रों को लागू होना बर्जित नहीं—इन नियमों के उपबंध रेल बोर्ड द्वारा जारी किए गए और तत्समय प्रवृत्त किसी आदेश या परिपत्र के उपबन्धों के अतिरिक्त होंगे न कि उनके अल्पीकरण में।

17. निरसन और व्यावृत्ति.—इन नियमों के प्रारम्भ पर, ऐसे प्रारम्भ के ठीक पहले प्रवृत्त प्रत्येक नियम (जिसके अन्तर्गत वे भी हैं जो भारतीय रेल स्थापन संहिता, पांचवां पुनर्मुद्रण, के जिल्द 2 में अन्तर्विष्ट हैं), जहां तक वह इन नियमों में अन्तर्विष्ट विषयों में से किसी का उपबन्ध करता है, प्रवर्तन में नहीं रहेगा।

परिशिष्ट

[नियम 4(2) देखिए]

रेल सेवक की निःशक्तता या मृत्यु को माना जा सकने के लिए मांगदर्शक सिद्धांत

1. हकदारी के मुद्दे पर विनिश्चय करने में, सभी साक्ष्य (प्रत्यक्ष और पारिस्थितिक दोनों) को विचार में लिया जाएगा और उचित संदेह का लाभ दावेदार को दिया जाएगा। इस लाभ को फील्ड सेवा के मामलों में दावेदार को अधिक उदारता से दिया जाएगा।

2. सेवोन्मुक्तोत्तर दावे — ऐसे मामले, जिनमें वस्तुतः रोग रेल सेवक की सेवोन्मुक्ति का कारण नहीं बना था किंतु उसके पश्चात् सात वर्ष के भीतर उत्पन्न हुआ, सेवा के कारण हुए माने जा सकेंगे यदि यह शिकित्सीय रूप में सिद्ध किया जा सकता है कि निःशक्तता सेवोन्मुक्ति के पहले अभिप्राप्त सेवा शर्तों द्वारा विकृतिजन्य प्रक्रिया का गतिशील होने के कारण विलंबित लक्षण है और यदि निःशक्तता का लक्षण सेवोन्मुक्ति के समय प्रकट हुआ होता तो व्यक्ति को इस कारण सेवा के आयोज्य ठहरा दिया गया होता। ऐसे मामलों में, जिनमें निःशक्तता पेंशन प्राप्त करने वाले व्यक्ति की घर पर मृत्यु हो जाती है और यह सर्वथा शिकित्सा की दृष्टि के अनुसार यह निश्चय ही सिद्ध नहीं किया जा सकता है कि मृत्यु एकमात्र रूप से उस निःशक्तता के कारण हुई जिसकी बाबत निःशक्तता पेंशन अनुदान की गई थी:—

(क) माना जा सकता निर्धारण करने में संदेह का लाभ मृतक के कुटुम्ब को मिलेगा यदि मृत्यु सेवा से उसके अयोग्य होने की तारीख से संगत वर्ष के भीतर होती है, जब तक कि अन्य ऐसे कारण न हों जो दावे को प्रतिकूल रूप से प्रभावित करते हों, और

(ख) यदि मृत्यु सेवा से उस व्यक्ति के अयोग्य होने की तारीख से सात वर्ष से अधिक के पश्चात् होती है तो संदेह का लाभ राज्य को मिलेगा।

ऐसे मामलों में, जिनमें व्यक्ति जीवन की सामान्य अवधि से अधिक समय तक जीवित रहता है, अर्थात् जिनमें मृत्यु साठ वर्ष या उससे अधिक की आयु में होती है मृत्यु को सामान्य कारणों से हुआ माना जाएगा न कि रेल सेवा के कारण।

टिप्पणी :— किसी ऐसे निःशक्त पेंशनभोगी की, जिसकी निःशक्तता गुस्तर के आधार पर स्वीकार की गई है, मृत्यु नियम 4(1)(ख) के अधीन रेल सेवा के कारण के रूप में भी स्वीकार की जा सकेंगी, यदि निःशक्तता का पिछला निर्धारण पचास प्रतिशत या उससे अधिक था। यदि निःशक्तता का पिछला स्वीकार किया गया निर्धारण पचास प्रतिशत से कम था तो मृत्यु सेवा के कारण के रूप में नहीं मानी जाएगी।

उपर्युक्त प्रक्रिया तब लागू होगी जब मृत्यु उस निःशक्तता के कारण सिद्ध हो जाती है जिसकी बाबत निःशक्तता पेंशन अनुदान की गई थी। यदि ऐसा मिला नहीं है तो सबसे पहले, अयोग्यकारी निःशक्तता मृत्यु के कारण की पहचान मार्गदर्शक सिद्धांतों के उपबंधों के अनुसार अवधारित की जाएगी। यदि उनके अधीन पहचान स्वीकार की जा सकती है तो पूर्वभासी उपपैरा की प्रक्रिया इस अतिरिक्त मुद्दे को कि क्या असाधारण कुटुंब पेंशन की हकदारी किसी ऐसे मामले में स्वीकार की जा सकती है जिसमें अयोग्यकारी निःशक्तता सेवा के कारण गुस्तर हुई थी, अवधारित करने के लिए अनुसरित की जाएगी।

3. (क)(i) जब आवसी "कर्तव्यारूढ़" है तब हुई क्षतियों के बारे में यह समझा जाएगा कि वे रेल सेवा में उत्पन्न हुई हैं या उसके परिणामस्वरूप हुई हैं, किंतु गंभीर उपेक्षा या अव्यवहार के कारण हुई क्षतियों के मामलों में, निःशक्तता पेंशन को कम करने प्रश्न पर विचार किया जाएगा।

(2) कर्तव्यारूढ़ के दौरान आत्मकृत क्षतियों के मामलों में, माना जा सकता तब तक स्वीकार नहीं किया जाएगा जब तक कि यह सिद्ध नहीं कर दिया जाता है कि सेवा कारण ऐसी क्रिया के लिए उत्तरदायी थे; ऐसे मामलों में, जिनमें माना जा सकता स्वीकार किया गया है, पूर्ण या कम की गई दर से निःशक्तता पेंशन के अनुदान के प्रश्न पर विचार किया जाएगा।

(ख) ऐसा व्यक्ति, जो केन्द्रीय सशस्त्र पुलिस बटालियन की अनुशासनिक संहिता के अधीन है, कर्तव्यारूढ़ है:—

(i) जब वह कोई शासकीय काम का पालन कर रहा है या ऐसे काम का पालन कर रहा है जिसके न किए जाने पर वह उसको लागू अनुशासनिक संहिता के अधीन विचारणीय अपराध होगा।

(ii) जब वह कर्तव्य के एक स्थान से कर्तव्य के दूसरे स्थान को जा रहा है, चाहे उसके जाने का ढंग कोई भी हो।

(iii) सेवा प्राधिकारियों द्वारा आयोजित या अनुज्ञात आमोद-प्रमोद में भाग लेने की अवधि के दौरान और समूह में या एकल रूप से आयोजित व्यवस्थाओं के अधीन यात्रा करने की अवधि के दौरान।

(iv) रेल व्यय पर, अर्थात् रेल द्वारा रेल पास परिवहन विशेषाधिकार टिकट आदेश पर/या जब यात्रा के लिये सड़क मीलभत्ता संबन्धित किया जाता है, अपने कर्तव्य के स्टेशन से अपने छुट्टी के स्टेशन तक जा रहा है या अपने छुट्टी के स्टेशन से कर्तव्य के स्टेशन को लौट रहा है।

(v) जब कोई व्यक्ति सेवा परिवहन का उपयोग करने के लिए हकदार है किंतु वह परिवहन उपलब्ध नहीं है तब आयोजित व्यवस्था के अधीन या प्राइवेट प्रवहन द्वारा नियत कर्तव्य के स्थान से अपने क्वार्टर तक और क्वार्टर से नियत स्थान के लिए लौटने तक उचित मार्ग द्वारा यात्रा कर रहा है।

(ग) ऐसी दुर्घटना में, जो उस समय होती है जब कोई आवसी उपर्युक्त यथापरिभाषित रूप में 'कर्तव्यारूढ़' नहीं है, सेवा के कारण हुई मानी जा सकती है, परन्तु यह तब जबकि उसमें ऐसी जोखिम अंतर्गस्त हो जिससे निश्चित रूप से उसकी सेवा की प्रकृति, दशा,

बाध्यता या घटना द्वारा किस्म या कोटि में वृद्धि हुई हो और वह ऐसी जोखिम न हो जो भारत में आधुनिक दशाओं में मानव के लिए सामान्य रूप से विद्यमान हो। इस प्रकार, उदाहरणार्थ, जहाँ कोई व्यक्ति किसी के द्वारा उसके सशक्त पुलिस बटालियन का होने के कारण (और ऐसी सेवा में अपने कर्तव्य के दौरान उसने ऐसे व्यक्ति का क्रोध उपगत किया था) मारा जाता है या क्षतिग्रस्त हो जाता है, वहाँ यह समझा जाएगा कि वह उस सुसंगत समय पर “कर्तव्यारूढ़” हैं।

यह कायदा सुसंगत अधिनियमों नियमों में (जैसे कि वे सीमा सुरक्षा बल और केंद्रीय रिजर्व पुलिस बल, आदि के कार्मिक को लागू हैं) यथापरिभाषित “सक्रिय सेवा” में घटित होने वाले मामलों में वाकेदार को अधिक उदारतापूर्वक दिया जाएगा।

टिप्पण 1:—(क) (i) स्थानीय, राष्ट्रीय या अन्तर्राष्ट्रीय क्रीड़ा आयोजनों में रेल दल के सदस्य के रूप में, या (ii) रेल प्राधिकारियों द्वारा रेल मंत्रालय के अनुमोदन से आयोजित पर्वतारोहण, ग्लाइडिंग अभियानों में भाग लेने वाले रेल सुरक्षा विशेष बल के कार्मिक निःशक्तता और कुटुम्ब पेंशन के लिए हकदारी नियमों के प्रयोजन के लिए “कर्तव्यारूढ़” समझे जाएंगे।

(ख) व्यक्तिगत हैसियत में उपर्युक्त उल्लिखित क्रीड़ा आयोजनों में या प्राइवेट स्तर से आयोजित पर्वतारोहण अभियानों में भाग लेने वाले या ग्लाइडिंग में शौक के रूप में असक्त होने वाले उपर्युक्त कार्मिक उन नियमों के प्रयोजनों के लिए “कर्तव्यारूढ़” नहीं समझे जाएंगे, यद्यपि सक्षम रेल प्राधिकारियों की पूर्ण अनुज्ञा उनके द्वारा अभिप्राप्त की गई है।

(ग) उपर्युक्त कार्मिक की परेड समय के पश्चात् खेल-कूद और क्रीड़ा का बढ़ावा देने में, जिन्हें स्थानीय रेल प्राधिकारी द्वारा या उसके अनुमोदन से आयोजित किया गया है, हुई क्षतियों और ऐसी क्षतियों से उत्पन्न मृत्यु के बारे में यह समझा जाएगा कि वे/वह इन नियमों के प्रयोजनों के लिए “कर्तव्यारूढ़” के दौरान हुई है/हैं।

टिप्पण 2:—हिमालयन पर्वतारोहण संस्थान, दार्जीलिंग या अन्य समरूप मान्यताप्राप्त संस्थाओं द्वारा संचालित प्रशिक्षण पाठ्यक्रम के लिए तैनात उपर्युक्त कार्मिक को पाठ्यक्रमों के दौरान हुई निःशक्तता या मृत्यु मध्ये निःशक्तता या कुटुम्ब पेंशन के अनुदान के प्रयोजन के लिए रेल के लिए अन्य प्राधिकृत वृत्तिक पाठ्यक्रमों या अभियानों में उपस्थित होने वाले कार्मिक के बराबर समझा जाएगा।

4. रोगों के संबंध में निम्नलिखित नियमों का पालन किया जाएगा :

(क) ऐसे मामले, जिनमें यह सिद्ध किया गया है कि रेल सेवा की दशाओं ने रोगों के प्रारंभ का

अवधारण नहीं किया या उसमें योगदान नहीं किया किंतु रोग की पश्चात्पूर्ती चर्चा को प्रभावित किया, गुरुतर के आधार पर स्वीकार किए जाने के अंतर्गत आएंगे।

(ख) उस रोग के बारे में, जो किसी व्यक्ति की सेवोन्मुखित या मृत्यु का कारण बना है, सामान्यतया यह समझा जाएगा कि वह सेवा में उत्पन्न हुआ है यदि उसके बारे में कोई टिप्पण व्यक्ति के रेल सेवा के लिए स्वीकार किए जाने के समय नहीं किया गया था। किंतु यदि चिकित्सीय राय, उसके लिए जो कारण हैं उन्हें कथित किया जाएगा, यह अधिनिर्धारित करती है कि रोग का सेवा के लिए स्वीकार किए जाने के पूर्व स्वास्थ्य परीक्षा की जाने पर पर पता नहीं चलाया जा सकता था, वह रोग सेवा के दौरान उत्पन्न हुआ नहीं समझा जाएगा। यदि किसी रोग के बारे में यह स्वीकार किया जाता है कि वह सेवा में उत्पन्न हुआ है तो यह भी सिद्ध किया जाना चाहिए कि रेल सेवा की दशाओं के कारण रोग का प्रारंभ हुआ है या वे उसमें योगदायी बनी हैं और वे दशाएं रेल सेवा में कर्तव्यारूढ़ परिस्थितियों के कारण थीं।

(ग) यह विचार करने में कि क्या कोई विशिष्ट रोग रेल सेवा के कारण है या नहीं, यह आवश्यक है कि रोग के हेतुकी में और उसके सामान्य विकास के संबंध में इस प्रभाव के स्थापित तथ्य में संबंधित हो कि सेवा की दशाएं, उदाहरणार्थ, प्रभावन, तनाव, जलवायु आदि, उसके आविर्भाव पर हावी रही है। समय के तथ्य पर भी अवश्य ध्यान देना चाहिए (अनुसूची 2 भी देखिए)

(i) मौसम के प्रभावन द्वारा प्रभावित रूप में ज्ञात सामान्य रोग—रोग, जैसे कि एवासन-शोथ, संघिबात और वृक्कशोथ—वस्तुतः एवासन प्रणाली, जोड़ों और गुर्दा के अधिकतर रोग—जलवायु दशाओं द्वारा प्रभावित हैं। किसी विशिष्ट स्थान में सेवा की अवधि और दशाएं सेवा के साथ आकस्मिक संबंध अवधारित करने में विचार में लिया जाना चाहिए।

(ii) दबाव और तनाव द्वारा प्रभावित रूप में ज्ञात सामान्य रोग—इसका विनिश्चय उन कर्तव्यों की, जिनका पालन व्यक्ति की रेल सेवा में करना पड़ा है, प्रकृति के प्रति सम्यक् निर्देश से किया जाना चाहिए। यह हो सकता है कि कुछ मामलों में व्यक्ति बैठ कर करने वाले कार्यों में लगा रहा हो जबकि वे सामान्यतया अहित नहीं होंगे।

(iii) कतिपय क्षेत्रों⁵ में स्थानिक रोगः—रोग, जैसे कि मलेरिया कालाजार, फाइनेरिया, पेक्विम, हैजा, आदि, कतिपय क्षेत्रों में स्थानिक हैं। ये रोग संक्रमित व्यक्तियों के संचलन से भी आरंभ हो सकते हैं।

सेवा के साथ अनियमित संबंध अवधारित करने में, यह सिद्ध करना होगा कि रेल सेवा की दशाओं ने व्यक्ति को संक्रमण के लिए उच्छन्न किया है जिसके परिणामस्वरूप उसे रोग लगा। जहाँ सेवा में प्रवेश करने के पूर्व, या कर्तव्य से बाहर रहने या छुट्टी पर रहने या अभिभजन या अप्राधिकृत अनुपस्थिति, आदि के दौरान रोग के लगने का चिकित्सीय साक्ष्य है, वहाँ रोग का लगना माना जा सकता तब तक स्वीकार नहीं किया जाएगा जब तक कि रोग उद्भवन अवधि के अंदर उत्पन्न न हो।

(iv) सेवा में संक्रमण के कारण रोग—पेंशन की हकदारी उस दशा में स्वीकार्य होगी यदि संक्रमण का प्रभावन सदस्य की रेल सेवा की परिस्थितियों से उत्पन्न हुआ।

(v) दैनिक आहार संबंधी विवशता द्वारा प्रभावित रूप में ज्ञात रोग—सेवा की विवशता के अंतर्गत आमाशय विकार, उदाहरणार्थ, आमाशय-शोथ, आमाशय और ग्रहणी-ग्रन्थ, के रूप में मामले भी होंगे। जहाँ यह सिद्ध कर दिया जाता है कि सदस्य अपनी अवस्था के लिए अपेक्षित दैनिक आहार संबंधी व्यवस्था का अनुसरण करने में असमर्थ था। ऐसे मामलों में सेवा का प्रभाव अत्यावश्यक रूप से पूर्व-विद्यमान स्वास्थ्यकर अवस्था के गुरुतर के प्रश्न तक सीमित होगा। यह सामान्यतया बैठकर काम करने वाले उपजीविका में लगे व्यक्तियों को लागू नहीं होगा।

(vi) ऐसे रोग जो बाह्य परिस्थितियों पर अनाश्रित अनुक्रम में पाए जाते हैं—ऐसे कतिपय रोग हैं जो उसी अनुक्रम में पाए जाएंगे, चाहे व्यक्ति सरकारी सेवा में रहा हो या नहीं, उदाहरणार्थ, ल्यूकेमिया, हाइकिन्स रोग, आदि (अनुसूची 2 का भाग 2 देखिए)। ऐसे मामलों को सेवा के कारण गुरुतर होने के रूप में तब तक स्वीकार नहीं किया जाएगा जब तक कि यह स्पष्ट न हो कि सेवा की अत्यावश्यकताओं के कारण आदमी ने सतोषजनक प्रकृति और स्तर का उपचार प्राप्त नहीं किया या ऐसा उपचार इतने विलंब से हुआ कि इसका प्रभाव वैसा नहीं हुआ जैसा होना चाहिए था।

(vii) रतिज रोग—(1) रतिज रोग को सामान्यतया नामंजूर कर दिया जाएगा किंतु रोग का उत्तरप्रभाव कभी-कभी सेवा के कारण गुरुतर होने के रूप में स्वीकार किया जा सकेगा। सेवा के दौरान लगे ऐसे रोग के मामले में, स्वीकार किए जाने के आधार शायद

ही पाए जाएंगे जब तक कि सदस्य उपचार के पश्चात् पूर्ण कर्तव्य पर छोट न आया हो और ऐसे तनाव के अधीन न रहा हो जिससे उससे पहले रोग का कोई पश्च प्रभाव पैदा हो जो सामान्यतया ऐसे मामले में हुआ होता। तनाव अवश्य असाधारण प्रकृति का होना चाहिए।

(2) सेवा से पूर्व लगे रोग के मामले में, यदि सदस्य ऐसी आयु पर पहुँच चुका था जब ऐसा आविर्भाव स्वीकार किया जा सकता था तो हकदारी नहीं मानी जाएगी दूसरी तरफ, यदि पश्चात्पूर्व आविर्भाव पैदा हुआ था या सेवा के तनाव द्वारा जल्दी हो गया था, तो इस मामले में यह साक्ष्य होना चाहिए कि तनाव असाधारण प्रकृति का था, हकदारी पर गुरुतर के आधार पर विचार किया जा सकता है।

(3) आनुवंशिकता के कारण रोग के मामले में हकदारी उपर्युक्त (2) के अनुसार ही अवधारित की जानी चाहिए।

(4) उपर्युक्त केवल पश्चात्पूर्व आविर्भाव या न्यूरो-मिफलिस या कार्डियो-वैसकुलर मिफलिस के रूप में रतिज रोग के उत्तरप्रभाव के प्रति निर्देश करता है।

(viii) औपधियों या मदिरा में असक्त होने के कारण अयोग्यता—हकदारी उस दशा में नहीं मानी जाएगी यदि वह निःशक्तता या मृत्यु, जित पर दावा आधारित है, ऐसी औपधियों या मदिरा में, जो व्यक्ति के नियंत्रण में था, असक्त होने के परिणामस्वरूप हुई थी।

5. सेवा चिकित्सा उपचार के अकल्पित प्रभाव —

(क) जहाँ किसी सदस्य को सेवा कर्तव्यों के लिए योग्य होने के प्रयोजन के लिए किए गए उपचार (जिसके अंतर्गत शल्योपचार भी है) के परिणामस्वरूप उत्पन्न अकल्पित जटिलताओं में हुई किसी निःशक्तता को सामान्यतया सेवा के कारण हुआ माना जा सकने के रूप में स्वीकार किया जाएगा।

(ख) जहाँ उपचार अन्य कारणों से किया जाता है, वहाँ किन्हीं अकल्पित जटिलताओं से संबंधित स्थिति में उस दशा में के अनुसार, जो उपचार को आवश्यक बनाती है, सेवा के कारण माना जा सकने योग्य या गुरुतर होने योग्य था या नहीं, अंतर है। यदि उपचार के परिणाम-स्वरूप कोई निःशक्तता ऐसा माना जा सकने योग्य या गुरुतर होने योग्य था तो उसे सामान्यतया सेवा के कारण माना जा सकने के रूप में स्वीकार किया जायेगा। या यह नहीं था तो अतिरिक्त निःशक्तता के लिए कोई उत्तरदायित्व स्वीकार नहीं किया जाएगा जब तक कि उपेक्षा, विलंब, अपूर्ण तकनीक या उचित कौशल की कमी

को दुष्परिणाम के लिये उत्तरदायी न ठहराया जा सकता हो, या उपचार के पहले या उसके दौरान या उसके पश्चात् सेवा की अत्यावश्यकताओं के बारे में यह अभिनिर्धारित किया जा सकता हो कि उनसे ऐसी अवस्था हुई है या उसमें गुरुतर हुआ है।

- (ग) उपर्युक्त विचार इस बात को लागू होते हैं, चाहे उपचार किसी रेल अस्पताल में या किसी अन्य अस्पताल में रेल व्यवस्था के अधीन किया गया है किन्तु यह उस वृत्ति में लागू नहीं होगा यदि उपचार किसी व्यक्ति द्वारा प्राइवेट व्यवस्था के अधीन किया जाता है।

6. निर्धारण :—

- (क) किसी निःशक्तता का निर्धारण उस निःशक्तता की, जो कारित होती है, कोटि का प्राक्कलन है जिसे समुचित रूप से सेवा का उत्तरदायी ठहराया जा सकता है, जैसा कि नीचे परिभाषित है।
- (ख) सेवा के प्रति समुचित रूप से निदेश योग्य निःशक्तता निम्नानुसार निर्धारित की जायेगी—
- () रेल सेवा से उन्मुक्ति के समय—सामान्यतया निःशक्तता द्वारा उस समय कारित संपूर्ण निःशक्तता। यह नियम इस बात के होते हुए भी लागू होगा चाहे निःशक्तता वस्तुतः सेवा के कारण माना जा सकने योग्य है या नहीं या यह मात्र उसके कारण गुरुतर हो गया है। पश्चात्पूर्ति घटना में, सेवोन्मुक्ति पर निःशक्तता का भाग सेवा के पूर्व विद्यमान हो सकता है और/या सेवा के दौरान निःशक्तता के प्राकृतिक विकास द्वारा घटित हो सकता है। किन्तु जैसा कि जब तक सेवा का तनाव और दबाव बना रहता है, इसे मात्रात्मक रूप से प्रमाणित करना असंभव है।

विशेष विचार ऐसे मामले में पर किया जाना चाहिये जिनमें एलकोहल, तबाकू या औषधियों के अनुचित या अत्यधिक प्रयोग या रतिज रोग द्वारा निःशक्तता हो गई है या उससे और खराब हो गई है। ऐसे मामलों में, इनके प्रभाव को सेवा की उत्तरदायी ठहराने योग्य निःशक्तता का निर्धारण करने में अपवर्जित कर दिया जायेगा। सेवोन्मुक्ति के समय सेवा के प्रभाव और सेवाईतर बातों, पूर्ण निःशक्तता की विचार में लिया जायेगा।

उदाहरणार्थ :

- (1) जहाँ किसी ऐसे व्यक्ति को, जिसका अंशतः निःशक्त हाथ है, उसी हाथ में क्षति हो

जाती है जिससे वह पहले से कम उपयोगी हो जाता है, या किसी ऐसे व्यक्ति को, जिसका हासित पांव है, सेवा के परिणामस्वरूप अन्य पांव में क्षति हो जाती है और इस प्रकार संचलन में उसकी लुटि की वृद्धि हो जाती है;

या

- (2) जहाँ कोई व्यक्ति भर्ती होने के पूर्व खांसी सर्दी की इतिवृत्त देता है और चिरकालिक श्वासनली-शोथ के कारण सेवा के अयोग्य हो जाता है जिसे सेवा के कारण गुरुतर होना अभिनिर्धारित किया गया है—वहाँ पेंशन पूर्ण निःशक्तता के लिये अनुज्ञेय होगी।

(ii) सेवा से उन्मुक्ति के पश्चात् निःशक्तता के पुनः सर्वेक्षण पर—निःशक्तता द्वारा उस समय कारित संपूर्ण निःशक्तता में से निम्नलिखित को कम कर दिया जायेगा :—

- (1) सेवा-इतर बातों के कारण भाग, जैसे कि व्यक्तिगत आदतें, नागरिक जीवन में उर्जीविका, सेवोन्मुक्ति के पश्चात् दुर्घटना, सेवोन्मुक्ति के पश्चात् जलवायु संबंधी पर्यावरण,
- (2) सेवा के प्रभाव के अलावा सेवोन्मुक्ति से निःशक्तता की प्राकृतिक विकास के कारण कोई विकृति।

कटौती (1) सभी मामलों में की जायेगी जबकि उपर्युक्त कटौती (2) केवल ऐसे मामलों में लागू होगी जिनमें निःशक्तता सेवा के कारण गुरुतर हो जाने के रूप में स्वीकार किया गया है न कि उसके कारण हो सकने के रूप में।

- (ग) सेवा के कारण गुरुतर होने के रूप में स्वीकृत मामलों में, यद्यपि बीस प्रतिशत से अधिक बराबर निःशक्तता की प्रतिशतता उपर्युक्त पैरा ख (1) (2) के अनुसार सेवा से उन्मुक्ति के पश्चात् चिकित्सा पुनः सर्वेक्षण पर निर्धारित की जा सकेगी, निःशक्तता पेंशन सेवा के कारण गुरुतर का प्रभाव समाप्त होती हो संदल नहीं की जायेगी उदाहरणार्थ, जहाँ कोई व्यक्ति, जिसे रोग, उदाहरणार्थ फाईब्रोसाइटिस श्वास नली-शोथ, एक्जीमा, आदि हैं और उसे सेवा के कारण गुरुतर होने के रूप में अभिनिर्धारित किया गया है, सेवा के अयोग्य हो गया है और उसे चिकित्सा बोर्ड द्वारा पुनः सर्वेक्षण पर—(क) उसके पूर्व सेवा अवस्था पर या (ख) उस अवस्था पर, जिसमें वह सामान्यतया उस समय रहा है यद्यपि उसने सरकारी सेवा ग्रहण नहीं

किया था, पुनः स्थापित होना पाया गया है तो सेवा के कारण गुरुत्तर होने के बारे में यह समझा जाएगा कि वह समाप्त हो गया है।

(घ) युगलित अंग—

(1) युगलित अंगों, अर्थात् नेत्रों, कानों, बाजुओं और पैरों, पर एक साथ विचार किया जायेगा, जहाँ सेवा के कारण निःशक्तता युगल अंगों में से किसी में होती है, सेवोन्मुक्ति पर निर्धारण एक साथ कार्य करने वाले अंगों की क्रियात्मक क्षमता में हास के प्रति निर्देश से किया जाएगा। अतः निर्धारण के अन्तर्गत युगल अंगों की क्रियात्मक क्षमता है।

(2) नीचे विनिर्दिष्ट अपवादों के अधीन रहते हुए, सेवा-इतर निःशक्तता और सेवोन्मुक्ति के पश्चात् उत्पन्न सेवा-इतर निःशक्तता में, किसी पश्चात्पूर्वी वृद्धि को, चाहे वह क्षति से हुई है या रोग से, निर्धारण में अपर्याप्त कर दिया जाएगा।

(3) ऐसे मामले उत्पन्न होते हैं, जिनमें सेवोन्मुक्ति के समय, सेवा के कारण युगलित अंगों (अर्थात् नेत्रों, कानों, बाजुओं, जिनके अन्तर्गत हाथ भी हैं और पैरों, जिनके अन्तर्गत पांव भी हैं) में से केवल एक को नुकसान हुआ है और दूसरा या तो सामान्य है या उसमें बहुत कम मात्रा में हास हुआ है, जहाँ उपर्युक्त खंड (ii) के के अधीन स्वीकार्य निःशक्तता और अन्य अंग की निःशक्तता एक साथ किसी पश्चात्पूर्वी तारीख को शतप्रतिशत निर्धारणीय हैं, वहाँ पेंशन प्रयोजनों के लिये निर्धारण को चालू निर्धारण और शतप्रतिशत के बीच अंतर का डेढ़ गुना बढ़ा दिया जायेगा। दृष्टांत स्वरूप, किसी ऐसे पेंशनभोगी का, जिसने एक नेत्र की हानि के लिये चालीस प्रतिशत की दर से अधिनिर्णय प्राप्त किया है, और बाद में सेवा-इतर कारण से उसके दूसरे नेत्र की दृष्टि की हानि हुई है, अधिनिर्णय सत्तर प्रतिशत की दर तक बढ़ा दिया जायेगा और किसी बाजू में बंदूक की गोली के घाव के लिये अस्सी प्रतिशत का अधिनिर्णय वाला पेंशनभोगी, जिसकी बाद में दूसरी बाजू में तीव्र संघिसोध विकसित हो जाना है जिससे वह अस्सी प्रतिशत के बजाय शतप्रतिशत निःशक्त हो जाता है, नब्बे प्रतिशत की दर से पुनरीक्षित अधिनिर्णय के लिये अर्हित होगा। जहाँ युगल अंगों की

संयुक्त निःशक्तता शतप्रतिशत से कम है किन्तु उपर्युक्त खंड (ii) के अधीन स्वीकार्य निःशक्तता से दुगुने से अधिक गंभीर है, वहाँ निर्धारण को संयुक्त निःशक्तता के डेढ़ गुना तक बढ़ा दिया जायेगा। उदाहरणार्थ, यदि एक नेत्र की दृष्टि की हानि के लिये तीस प्रतिशत की दर से अधिनिर्णय वाले पेंशनभोगी की किसी सेवा-इतर कारण से दूसरे नेत्र की दृष्टि की भागतः हानि हो जाती है और एक साथ दोनों नेत्र की दोषपूर्ण दृष्टि अस्सी प्रतिशत की दर से निर्धारणीय है, तो उसका अधिनिर्णय चालीस प्रतिशत तक बढ़ा दिया जायेगा।

(4) पूर्वगामी उपखंड के उपबंध वहाँ भी लागू होंगे जहाँ युगल अंगों का दूसरा अंग किसी सामान्यी-ता निःशक्तता (उदाहरणार्थ, बातग्रस्त मन्दिशोथ) द्वारा, जो युगल के पहने को भी निःशक्त कर दिया होता यदि उसको सेवा के परिणामस्वरूप हानि नहीं हुई होती या वह क्षतिग्रस्त नहीं हुआ होता, निःशक्त हो गया है।

(ङ) सामूहिक निर्धारण :

जहाँ सेवा के कारण दो या अधिक निःशक्तताएं हैं, वहाँ प्रतिकर निःशक्तता की मात्रा के सामूहिक निर्धारण पर प्राधारित होगा। साधारणतया, जब पृथक्-पृथक् निःशक्तताओं का पूर्णतः भिन्न-भिन्न कृत्यकारी प्रभाव है, तो सामूहिक निर्धारण अपने पृथक्-पृथक् निर्धारणों की गणितीय राशि होगा। किन्तु जहाँ निःशक्तताओं के कृत्यकारी प्रभाव परस्पर व्याप्त करने वाले हैं, वहाँ सामूहिक निर्धारण परस्पर व्यापी की मात्रा के अनुपात में कम कर दिया जायेगा।

(च) शून्य निःशक्तता—

जहाँ, यद्यपि कोई निश्चित निःशक्तता स्पष्ट है या रही है, चिकित्सा बोर्ड का विचार है कि उसके परिणाम स्वरूप कोई निःशक्तता समाप्त हो गई है या इतनी छोटी हो गई है कि उसे निर्धारणीय प्रतिकर के लिये स्वीकार नहीं किया जाना है, वहाँ निर्धारण को “शून्य निःशक्तता” के रूप में अभिव्यक्त किया जायेगा।

(छ) जहाँ सेवा के कारण निःशक्तता का पूर्व-विद्यमान निःशक्तता से कोई संबंध नहीं है, उदाहरणार्थ, किसी ऐसे व्यक्ति की, जिसकी भर्ती होने के पूर्व अंगुली की हानि हो गई थी, सेवा के कारण पांव के अंगूठे की हानि हो जाती है, वहाँ प्रतिकर केवल पांव के अंगूठे की हानि तक संबंधित होगा।

अनुसूची 1

[निधम 3(3) देखिए]

क्रमसंख्यांक	क्षति का विवरण	अपार्जन-सामर्थ्य की हानि की प्रतिशतता
1	2	3

भाग 1

ऐसी क्षतियों की, जिसके परिणामस्वरूप स्थायी पूर्ण निष्पक्षता के समझी गई सूची

1.	दोनों हाथों की हानि या उच्चतर स्थलों पर विच्छेदन	100
2.	एक हाथ और एक पाद की हानि	100
3.	पैर या जंघा से होकर दुहरा विच्छेदन या पैर या जंघा से होंकर एक और विच्छेदन और अन्य पाद की हानि	100
4.	दृष्टि की उस विस्तार तक हानि जिससे कि दावेदार किसी ऐसे काम का, जिसके लिए नेत्र की दृष्टि अत्यावश्यक है, निष्पादन करने में असमर्थ हो जाता है	100
5.	चेहरे की अति तीव्र विकृतता	100
6.	पूर्ण अविरता	100

भाग 2

ऐसी क्षतियों की जिनके परिणामस्वरूप स्थायी आंशिक निष्पक्षता समझी गई सूची

विच्छेदन मामले—ऊपरी अंग (कोई भी बाजू)

1.	स्कंध संधि से होकर विच्छेदन	90
2.	एक्रोमियन के अग्र भाग से 8" से कम टूट सहित स्कंध के नीचे विच्छेदन	80
3.	ऑलिकनन के अग्र भाग के नीचे 4½" से कम के एक्रोमियन के अग्र भाग से 8" विच्छेदन	70
4.	एक हाथ की या हाथ के अंगूठे की ओर एक हाथ की चार "अंगुलियों की हानि या आलिकनन के अग्र भाग से नीचे 4½" विच्छेदन	60
5.	हाथ के अंगूठे की हानि	30
6.	हाथ के अंगूठे की ओर उसके गंटाकार्पल आस्थि की हानि	40
7.	एक हाथ की चार अंगुलियों की हानि	50
8.	एक हाथ की तीन अंगुलियों की हानि	30
9.	एक हाथ की दो अंगुलियों की हानि	20
10.	हाथ के अंगूठे की अंतिम अंगुलास्थि की हानि	20

विच्छेदन मामले—निचले अंग

11.	दोनों पादों का विच्छेदन जिसके परिणामस्वरूप अन्य आधार टूट	90
12.	मेटाटर्सो-अंगुलास्थि संधि के निकटस्थ दोनों पदों से होकर विच्छेदन	80
13.	मेटाटर्सो-अंगुलास्थि संधि से होकर दोनों पदों की सभी अंगुलियों की हानि	40
14.	निकटस्थ आंतरिक-अंगुलास्थि संधि के निकटस्थ दोनों पादों की सभी अंगुलियों की हानि	30
15.	निकटस्थ आंतरिक अंगुलास्थि संधि की दूरस्थ दोनों पादों की सभी अंगुलियों की हानि	20
16.	श्रेणी में विच्छेदन	90
17.	टूट सहित श्रेणी के नीचे विच्छेदन, जो बहुत ट्रिन्वेंटर के अग्र भाग से मापित लंबाई में 5" से अधिक न हो	80
18.	टूट सहित श्रेणी के नीचे विच्छेदन, जो बहुत ट्रिन्वेंटर के अग्र भाग से मापित लंबाई में 5" से अधिक हो किन्तु मध्य जंघा से परे न हो	70
19.	घुटने के नीचे 3 ½" तक मध्य जंघा के नीचे विच्छेदन	60

1	2	3
20.	दूठ सहित घुटने के नीचे बिच्छेदन, जो 3 1/2" से अधिक किन्तु 5" से अधिक न हो	50
21.	5" से अधिक दूठ सहित घुटने के नीचे बिच्छेदन	40
22.	एक पा का बिच्छेदन जिसके परिणामस्वरूप अन्य आधार	30
23.	मेटाटार्सो-अंगुलास्थिक संधि के निकटस्थ एक पाद से होकर बिच्छेदन	30
24.	मेटाटार्सो-अंगुलास्थि से होकर एक पाद की सभी अंगुलियों की हानि	20
अन्य क्षतियां		
25.	जटिलताओं के बिना एक नेत्र की हानि, दूसरा नेत्र सामान्य हो	40
26.	जटिलताओं के बिना एक नेत्र की दृष्टि की हानि या नेत्र-गोचक की विवूरता, दूसरा सामान्य हो	30
"क"—दाएं या बाएं हाथ की अंगुलियों की हानि तर्जनी		
27.	संपूर्ण	14
28.	दो अंगुलास्थियां	11
29.	एक फ्लैक्स	9
30.	प्रास्थि की हानि के बिना अग्र भाग का गिलोटोन बिच्छेदन	5
मध्यांगुलि		
31.	सम्पूर्ण	12
32.	दो अंगुलास्थियां	9
33.	एक फ्लैक्स	7
34.	प्रास्थि की हानि के बिना अग्र भाग का गिलोटोन बिच्छेदन	4
अनामिका		
35.	सम्पूर्ण	7
36.	दो अंगुलास्थियां	6
37.	एक फ्लैक्स	5
38.	प्रास्थि की हानि के बिना अग्र भाग का गिलोटोन बिच्छेदन	2
पाद का अंगूठा		
39.	मेटाटार्सो-अंगुलास्थि संधि से होकर	14
40.	भाग, प्रास्थि की कुछ हानि सहित	3
41.	कोई अन्य पादांगुलि	
41.	मेटाटार्सो-अंगुलास्थि संधि से होकर	3
42.	भाग, प्रास्थि की कुछ हानि सहित	1
एक पाद की दो अंगुलियों, जिनके अंतर्गत अंगूठा नहीं है		
43.	मेटाटार्सो-अंगुलास्थिक संधि से होकर	5
44.	भाग, प्रास्थि की कुछ हानि सहित	2
एक पाद की तीन अंगुलियों, जिनके अंतर्गत अंगूठा नहीं है		
45.	मेटाटार्सो-अंगुलास्थिक संधि से होकर	6
46.	भाग, प्रास्थि की कुछ हानि सहित	3
एक पाद की चार अंगुलियों, जिनके अंतर्गत अंगूठा नहीं है		
47.	मेटाटार्सो-अंगुलास्थिक संधि से होकर	9
48.	भाग, प्रास्थि की कुछ हानि सहित	3

टिप्पणी—इस अनुसूची में निविष्ट किसी अंग या अवयव के उपयोग की पूर्ण और स्वामी हानि उस अंग या अवयव की हानि के समतुल्य समझी जाएगी।

अनुसूची-II

[नियम 3 (4) देखिए]

1- ऐसे रोगों की सूची और वर्गीकरण जो सेवा के कारण लग सकते हैं।

क. जलवायु संबंधी दशाओं से प्रभावित रोग।

- (i) फुफ्फुसीय क्षयरोग।
- (ii) फुफ्फुसीय शोफ (प्रायोडेमा)
- (iii) फुफ्फुसावरण स्पन्दन सहित फुफ्फुसीय क्षयरोग।
- (iv) क्षयरोग - अफुफ्फुसीय।
- (v) श्वासनली-शोथ।
- (vi) फुफ्फुसावरण-शोथ, एम्पीएमा, फेफड़ा फोड़ा और श्वासनली-शोथ।
- (vii) लॉवर न्यूमोनिया
- (viii) वृक्कशोथ (अतिपाती और चिरकालिक)।
- (ix) ब्राइटिस मीडिया
- (x) संधिवात-अतिपाती।
- (xi) संधिवात-चिरकालिक।
- (xii) गठिया
- (xiii) पेशीशूल
- (xiv) कटिवात।
- (xv) शोलाघात, जो अंगच्छेदन का कारण बना।
- (xvi) तापाघात।

ख. दबाव और तनाव से प्रभावित रोग।

- (i) मनोविकृति और मनोस्नायुरोग
- (ii) हाइपरपाइसिया।
- (iii) उच्चरक्तचाप (ब्लडप्रेसर)
- (iv) फुफ्फुसीय क्षयरोग।
- (v) फुफ्फुसावरण स्पन्दन सहित फुफ्फुसीय क्षयरोग।
- (vi) क्षयरोग - अफुफ्फुसीय।
- (vii) मिट्रल स्टेनोसिस
- (viii) पेरिकारडाइटिस और संलग्न पेरियो अर्रडियन।
- (ix) इनडो - कारडाइटिस।
- (x) उप अतिपाता जीवाण्विक इनडोकारडाइटिस, जिसके अंतर्गत अप्रभावा ईन्डोकारडाइटिस है।
- (xi) नाइयोकारडाइटिस-अतिपाती या चिरकालिक।
- (xii) वैंलवूलर रोग।

ग. आहार संबंधी विवशताओं से प्रभावित रोग

- (i) अप्रभावी यकृत शोथ (पीलिया रोग)
- (ii) पेट और ग्रहणी के रोग।
- (iii) कुमी संक्रमण, विशेषतया गुफनिया कुमी और गोल कुमी संक्रमण।
- (iv) आमामशय शोथ।
- (v) खाद्य विषाक्त, विशेष रूप से डिब्बा बन्द खाद्य के कारण।
- (vi) आमामशय ग्रण।
- (vii) ग्रहणी ग्रण।
- (viii) पौषणिक विकार।

घ. प्रशिक्षण, प्रवाण आदि से प्रभावित रोग

- (i) क्षतियों से हुए टिटनेस, एरिसिप्लिस, रक्त विषाघन और पाइमिया, आदि।
- (ii) वेरीपोथ
- (iii) अस्थि समेकन और क्षतियों से हुई अर्जित विरूपता।

- (iv) हनिया ।
- (v) खोपड़ी की क्षति से हुए पश्च क्षतिज मिरगी और अन्य मानसिक परिवर्तन ।
- (vi) घुटना संघि के आंतरिक क्रम भंग ।
- (vii) पेदोल, अग्नि, किरोसीन तेल, आदि से हुए छाने, जिनके कारण निशान बने तथा विभिन्न विरूपताएं और निशक्तताएं हुई ।
- (viii) पाद की विरूपताएं ।

५.- पर्यावरण संबंधी रोग

- (i) किसी रतिज या रक्त विषाक्त रोगी की परिचर्या करने या शव परीक्षा करने संबंधी जामकीय कर्तव्य के दौरान लगे रोग ।
- (ii) जहरीले रसायनों और विकिरण उपस्कर के स्थानों के कारण लगे रोग ।

II - ऐसे रोग जो सामान्यतया सेवा के कारण प्रभावित नहीं हैं

- (i) असाध्य रोग : कैंसर और कर्कट रोग ।
- (ii) भ्रूण - प्रवृद्ध (वर्द्धन के विकास के स्थल पर सेवा के कारण क्षति की इतिवृत्त सहित अस्थि के भ्रूण - अचुंद के मामलों के सिवाय)
- (iii) एपिथेलियोमा ।
- (iv) कृतक अण
- (v) लिम्फोसाइकोमा
- (vi) लाफेडिनोमा (हैडकिन का रोग)
- (vii) ट्यूकेमिया ।
- (viii) घातक एनीमिया (एडीसन का एनीमिया)
- (ix) ब्रासटार्यटस डिफारमना (पगेट का रोग)
- (x) गाउट ।
- (xi) एकोमेगली ।
- (xii) जिगर का कार्हागिस, यदि मध्यस्थित हो ।

नेत्र

- (xiii) अपवर्तन की त्रुटियां ।
- (xiv) हायूपरमेट्रोपिया ।
- (xv) निकटदृष्टि (मायोपिया)
- (xvi) दृष्टिदोष
- (xvii) प्रेशियोपिया ग्लूकोमा अति तापो या विरकारित, जब तक कि सेवा के कारण क्षति की या सेवा के कारण नेत्र के रोग की इतिवृत्त न हो ।

अनुसूची-III

[नियम 10 (2) देखिए]

निःशक्तता पेंशन

1 जनवरी, 1986 से आरम्भ की गई निःशक्तता पेंशन की पुनरीक्षित दरें निम्नलिखित रूप में हैं :—

शतप्रतिशत निःशक्तता के लिए निःशक्तता पेंशन निम्नलिखित दरों से अनुज्ञात की जाएगी :—

प्रति मास मूल वेतन	शतप्रतिशत निःशक्तता के लिए प्रति मास निःशक्तता की दर
(i) 1500 रुपए से अनधिक	न्यूनतम 375 रुपए के अधीन रहते हुए मूल वेतन का तीस प्रतिशत ।
(ii) 1500 रुपए से अधिक किन्तु 3000 रुपए से अनधिक	न्यूनतम 450 रुपए के अधीन रहते हुए मूल वेतन का बीस प्रतिशत
(iii) 3000 रुपए से अधिक	न्यूनतम 600 रुपए और अधिकतम 1250/रुपए के अधीन रहते हुए मूल वेतन का पन्द्रह प्रतिशत ।

निःशक्तता के न्यूनतम प्रतिशत के लिए, मासिक निःशक्तता पेंशन अनुपाततः कम होगी जो इस समय यह उपबंधित है कि जहां स्थायी निःशक्तता साठ प्रतिशत से कम नहीं है वहां कुल पेंशन अर्थात् रेल सेवा (पेंशन) नियम, 1983 के अधीन अनुज्ञेय पेंशन या सेवा उपदान और रेल सेवा (असाधारण पेंशन) नियम, 1993 के अधीन निःशक्तता पेंशन न्यूनतम 750 रुपए और अधिकतम 2500 रुपए के अधीन रहते हुए मूल वेतन के साठ प्रतिशत से कम नहीं होगी ।

अनुसूची 4

(नियम 11 देखिए)

असाधारण कुटुम्ब पेंशन

केवल एक समेकित असाधारण कुटुम्ब पेंशन ज्येष्ठतम हितार्थिकारी का किसी एक समय में उसी आधार पर संदेन होगी जो रेल सेवा (पेंशन) नियम, 1993 के अधीन कुटुम्ब पेंशन के संकाय के लिए लागू है। समेकित कुटुम्ब पेंशन, इस बात के होते हुए भी कि मृत रेल सेवक ने मृत वर्ष की सेवा पूरी की थी या नहीं, निम्नलिखित दरों से अनुज्ञात होगी :—

रेल सेवक का मृत्यु की तारीख को मूल मासिक असाधारण कुटुम्ब पेंशन वेतन

(क) जहाँ मृत रेल सेवक पेंशन वाला पद धारण नहीं कर रहा था :

(I) यदि विधवा निःसंतान है	(i) 1500 रुपए से अर्थाधिक	न्यूनतम 375 रुपए के अधीन रहने हुए मूल वेतन का तीस प्रतिशत
	(ii) 1500 रुपए से अधिक किंतु 2000 रुपए से अनधिक	न्यूनतम 450 रुपए के अधीन रहते हुए मूल वेतन का बीस प्रतिशत
	(iii) 3000 रुपए से अधिक	न्यूनतम 600 रुपए और अधिकतम 1250 रुपए के अधीन रहते हुए मूल वेतन का पन्द्रह प्रतिशत
(II) यदि विधवा की संतान/संतानें हैं/हैं।	सभी मामलों में	न्यूनतम 500 रुपए और अधिकतम 1500 रुपए के अधीन रहते हुए वेतन का बीस प्रतिशत

(ख) जहाँ मृत रेल सेवक पेंशन वाला पद धारण कर रहा था :

(I) यदि विधवा निःसंतान है।	(i) 1500 रुपए से अनधिक	मूल वेतन का पन्द्रह प्रतिशत
	(ii) 1500 रुपए से अधिक किंतु 3000 रुपए से अनधिक	न्यूनतम 750 रुपए के अधीन रहते हुए मूल वेतन का चाबीस प्रतिशत
	(iii) 3000 रुपए से अधिक	न्यूनतम 1200 रुपए और अधिकतम 2500 रुपए के अधीन रहते हुए मूल वेतन का तीस प्रतिशत।
(II) यदि विधवा की संतान/संतानें हैं/हैं	सभी मामलों में	न्यूनतम 750 रुपए और अधिकतम 2500 रुपए के अधीन रहते हुए मूल वेतन का साठ प्रतिशत।

उपर्युक्त (क)(i) और (ख)(i) में उपर्युक्त दर से कुटुम्ब पेंशन विधवा को मृत्यु या पुनर्विवाह की तारीख तक, इनमें से जो भी पूर्वतर हो, संदेत की जाएगी। उपर्युक्त (क)(ii) और (ख)(ii) में उपर्युक्त दर से कुटुम्ब पेंशन विधवा को संतान या संतानों की रेल सेवा (पेंशन), नियम, 1993 के अधीन उपर्युक्त आय प्राप्त करने तक संदेत की जाएगी और उसके पश्चात् विधवा को उपर्युक्त (क)(i) और (ख)(i) में उपर्युक्त दरों से कुटुम्ब पेंशन संदेत की जाएगी।

ऐसे मामलों में, जिनमें विधवा की मृत्यु हो जाती है या वह पुनर्विवाह कर लेती है, संतानों को, यथास्थिति उपर्युक्त (क)(i) या (ख)(i) में उपर्युक्त दर से कुटुम्ब पेंशन संदेत की जाएगी और उड़ी पिताहीन/माताहीन संतानों को लागू होगी। दोनों मामलों में, कुटुम्ब पेंशन संतानों को उक्त अवधि के लिए संदेत की जाएगी जिसके दौरान व रेल सेवा (पेंशन) नियम, 1921 के अधीन "कुटुम्ब पेंशन" के लिए पात्र होती।

प्राथमिक माताओं, पिताओं, भाइयों, बहनों, आदि को कुटुम्ब पेंशन रेल सेवा (असाधारण पेंशन) नियम, 1993 के नियम 11 में अधिकतम शर्तों के अधीन रहते हुए, पिताहीन/माताहीन संतानों को लागू दरों के आधे पर संदेत की जाएगी।

रेल सेवा (प्रसाधारण) पेंशन नियम

अनुसूची 5

[नियम 15(2)(ii)(iii) देखिए]

(प्ररूप "क", प्ररूप "ख", प्ररूप "ग", प्ररूप "घ", प्ररूप "ङ")

प्ररूप क

(निःशक्तता पेंशन के लिए आवेदन का प्ररूप)

1. आवेदक का नाम और कार्यालय का पूरा पता :
 2. पिता का नाम :
 3. पूरा आवासिक पता
(ग्राम, डाकघर, जिला, राज्य दर्शित करते हुए) :
 4. वर्तमान या गत नियोजन, जिसके अंतर्गत स्थापन की पूर्ण विशिष्टियां और पता भी है :
 5. सेवा में प्रवेश की तारीख :
 6. सेवा की पूर्ण विशिष्टियां और सेवा-अवधि, जिसके अंतर्गत विछिन्न सेवा (अर्हक और अनर्हक दोनों हैं) भी है :
 7. (चिकित्सीय प्राधिकारियों द्वारा यथा प्रमाणित) क्षति रोग के कारण हुई निःशक्तता का प्रतिशत और ये परिस्थितियां जिनके परिणामस्वरूप निःशक्तता हुई :
 8. (चिकित्सा प्राधिकारियों द्वारा यथा प्रमाणित) हुई क्षति/ नये रोग के समय वेतन :
 9. दावा की गई पेंशन :
 10. (चिकित्सा प्राधिकारियों द्वारा यथा प्रमाणित) क्षति रोग की तारीख :
 11. संवाय का स्थान :
 12. अन्य सुसंगत जानकारी, यदि कोई है :
 13. इसकी सन् के अनुसार आवेदक के जन्म की तारीख :
 14. उंचाई :
 15. पहचान चिह्न
 16. अंगूठे और अंगुली की छाप :
- अंगूठा मध्यमा
- कनिष्ठा तर्जनी
- अनामिका

स्थान : तारीख आवेदक के हस्ताक्षर

वह तारीख जिसको आवेदक ने पेंशन के लिए आवेदन किया :

कार्यालय के प्रधान के हस्ताक्षर

टिप्पण—अंगूठे और अंगुली की छाप और उंचाई तथा वैयक्तिक चिह्नों की विशिष्टियां ऐसी महिलाओं, राजपत्रित अधिकारियों, रेल पदवीधारकों और ऐसे अन्य व्यक्तियों, जिन्हें रेल मंत्रालय द्वारा इस निमित्त विशेष आदेशों द्वारा विनिर्दिष्ट रूप से छूट दी गई है, देने की आवश्यकता नहीं है।

*यदि इसका ठीक-ठीक पता न हो तो कृपया सर्वोत्तम सूचना या अनुमान के अनुसार तथा सर्वोत्तम अपनी जानकारी और विश्वास के अनुसार कथित कीजिए।

रेल सेवा (असाधारण पेंशन) नियम

प्रारूप ख

(कुटुंब पेंशन के लिए आवेदन का प्रारूप)

स्वर्गीय श्री/श्रीमती.....के, जो क्षति/रोग के कारण मारा गया/मारी गई या जिसकी मृत्यु हो गई, जिसके बारे में यह दावा किया गया है कि वह क्षति/रोग, रेल सेवा के कारण मानी/माना जा सकती/जा सकता है, कुटुंब के लिए असाधारण पेंशन के लिए आवेदन।

1. दावेदार के संबंध में जानकारी
 1. पूरा नाम और पता, निवास-स्थान
(ग्राम, डाकघर, जिला, राज्य दर्शित करते हुए)
 2. आयु और जन्म की तारीख :
 3. ऊंचाई
 4. पहचान चिह्न :
 5. वर्तमान उपजीविका और प्रतीत परिस्थितियां :
 6. मृतक के साथ सानेदारी की कटि और प्रकृति :
2. मृतक के संबंध में जानकारी :
 7. पूरा नाम, पिता का नाम, निवास स्थान
(ग्राम, डाकघर, जिला, राज्य दर्शित करते हुए) :
 8. स्थापन का पूरा नाम और पता सहित
पद और सेवा की विशिष्टियां :
 9. सेवा में पूर्ण विशिष्टियां, सेवा की अवधि आदि :
 10. मृत्यु के समय वेतन :
 11. जन्म की तारीख :
 12. मृत्यु के समय आयु :
 13. (चिकित्सा प्रमाणपत्र के अनुसार)
मृत्युकारण करने वाली क्षति/क्षतियों, रोग/रोगों की प्रकृति
 14. दावा की गई पेंशन की रकम, आदि :
 15. संदाय का स्थान
3. अन्य जानकारी
 16. वह तारीख जिससे फायदे (फायदों का दावा किया गया है) :
 17. अन्य सुसंगत जानकारी, यदि कोई है :

संबंध

नाम

इसकी सम् के अनुसार जन्म की तारीख

पुत्र :

4. मृतक के उत्तरजीवी रिश्तेदारों के नाम और उनकी आयु

विधवाएं :

पुत्रियां :

पिता :

माता :

दावेदार के हस्ताक्षर

(स्थान)

(तारीख)

टिप्पण 1—जो शब्द लागू न हों उसे कृपया काट दें।

टिप्पण 2—यदि मृतक का उसके उत्तरजीवी कोई पुत्र, विधवा, पुत्री, पिता या माता नहीं है तो ऐसे रिश्तेदारों के सामने "कोई नहीं" या "मृत" शब्द प्रविष्ट किए जाने चाहिए।

स्थान :

तारीख

मुद्रा

कार्यालय के प्रधान के हस्ताक्षर

प्ररूप 'ग'

(क्षतियों, रोगों/मृत्यु के बारे में रिपोर्ट करते समय चिकित्सा बोर्ड द्वारा प्रयोग किया जाने वाला प्ररूप)

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रिपोर्ट तैयार करने समय चिकित्सा बोर्ड द्वारा पालन किए जाने वाले अनुदेश

(1) चिकित्सा बोर्ड की अपनी राय अभिव्यक्ति करने के पूर्व, पूर्ववर्ती चिकित्सा बोर्ड, यदि कोई है, की कार्यवाहियों और उसके समक्ष परीक्षा के लिए लाए गए रेल सेवक या ऐसे रेल सेवक, जिसकी मृत्यु हो गई है, से संबंधित सभी पूर्ववर्ती चिकित्सा/अस्पताल दस्तावेजों का अनिवार्य रूप से ध्यान रखना चाहिए।

(2) यदि क्षति/रोग एक से अधिक हो तो उन्हें प्रत्येक के लिए निःशक्तता का प्रतिशत देने हुए पूर्ण व्योरे सहित अनग-अलग संख्यांकित किया जाना चाहिए।

(3) चिकित्सा बोर्ड, विहित प्ररूप में प्रश्नों का उत्तर देने में, स्वयं को अन्य रूप से मानने के चिकित्सा पहलू तक परि-रुद्ध रखेगा और रेल सेवक दावेदार का/के असमर्थित कथन तथा उपलब्ध दस्तावेजी साक्ष्य के बीच सावधानीपूर्वक विवेक करेगा।

(4) चिकित्सा बोर्ड परीक्षा किए गए रेल सेवक (या उसे किसी भी रिश्तेदार या मित्र, आदि) को या अपनी रिपोर्ट में इस संबंध में कोई राय अभिव्यक्त नहीं करेगा कि वह या उसका कुटुम्ब प्रतिकूल या उसकी रकम के लिए हकदार है या नहीं, न ही वह रेल सेवक या रेल सेवक से संबंधित किसी अन्य व्यक्ति को उसके द्वारा दी गई चिकित्सा रिपोर्ट की प्रकृति के बारे में किसी बात के संबंध में जानकारी देगा।

(5) चिकित्सा बोर्ड रेल बोर्ड के पत्र संख्याक पी.पी. 3/78/ईओपी/3/मिन, तारीख 22-6-79 के उपबंधों के आधार पर, विनिष्ट तथा अनुसूची 1 में अनुसूची 4 और उससे उपबद्ध परिशिष्ट में अपनी रिपोर्ट देगा।

(6) चिकित्सा बोर्ड की रिपोर्ट, प्रत्येक अवसर पर, सभी आवश्यक और पूर्ण चिकित्सा और अस्पताल दस्तावेजों, द्वारा समर्थित होगी जिन्हें समय-समय पर ऐसे निर्देश के लिए, जो आवश्यक हों, उस समय तक रखे और परिरक्षित किए जाएंगे कि जब तक कि वे निर्देश के लिए अपेक्षित न हों।

चिकित्सा बोर्ड की कार्यवाहियां
गोपनीय

निम्नलिखित को परीक्षा करने और उनके संबंध में रिपोर्ट करने के प्रयोजन के लिए..... के आदेश द्वारा गठित चिकित्सा बोर्ड की कार्यवाहियां:

(1) श्री/श्रीमती को हुई लगे क्षति रोग की वर्तमान दशा उसकी.....को मृत्यु (कृपया तारीख, मास और वर्ष दीजिए)।

(क) संक्षिप्त रूप में उन परिस्थितियों को कथित करें जिनके अधीन क्षति/रोग हुई थी/लगा था या उसकी मृत्यु हुई थी और उसकी तारीख:

(ख) रेल सेवक की वर्तमान दशा क्या है?

(ग) क्या रेल सेवक की—

(1) वर्तमान दशा, या

(2) मृत्यु

मर्त्यथा क्षति/क्षतियों, रोग/रोगों के कारण है और वे कारण जिनके बारे में दावा किया गया है।

यदि हां, तो कृपया पूर्ण रूप से यह स्पष्ट करें कैसे?

यदि नहीं, तो कृपया यह कथित करें कि ऐसे अन्य कारण क्या हैं जिनमें ऐसा हुआ माना जा सकता है।

(घ) किस तारीख से ऐसा प्रतीत होता है कि रेल सेवक उस कारण निःशक्त हो गया है/था:

(ङ.) क्षति/रोग मृत्यु की तारीख क्या है:

नीचे दिए गए प्रश्नों के संबंध में बोर्ड की राय निम्नलिखित रूप में है:

भाग क—प्रथम परीक्षा

1. क्षति/क्षतियों, रोग/रोगों के कारण निःशक्तता की प्रतिशतता।

(कृपया इसके नीचे क्षति/क्षतियों रोग/रोगों की प्रकृति के बारे में और रेल सेवा (असाधारण पेंशन) नियम, 1993 की अनुसूची 1 और अनुसूची 2 के प्रतिनिर्देश से पूर्ण/सभी चिकित्सीय/अस्पताल के दस्तावेजों द्वारा सत्यापित और प्रमाणित, समर्थित निःशक्तता के प्रतिशत के लिए पूर्ण व्योरे (ओचित्य दीजिए)।)

2. क्षति/क्षतियों, रोग/रोगों की तारीख से कितनी अवधि तक—

(क) रेल सेवक कर्तव्य के लिए अयोग्य रहा है ? से तक
(ख) रेल सेवक को कर्तव्य के लिए अयोग्य रहने की संभावना है ? से तक

3. अन्य सुसंगत जानकारी, यदि कोई है।

स्थान :

चिकित्सा बोर्ड का पोठासीन अधिकारी के हस्ताक्षर

तारीख :

चिकित्सा बोर्ड के सदस्य के हस्ताक्षर

भाग ख

द्वितीय या पञ्चात्तर्वी परीक्षाएं

1. यदि रेल सेवक की निःशक्तता का मूल कोटि में परिवर्तन हो गया है, तो अब निःशक्तता का प्रतिशत क्या है ?

(कृपया यहां सभी अनिवार्य चिकित्सा और अस्पताल के पूर्ण दस्तावेजों के साथ अपने विचार के समर्थन में औचित्य के योग्य दें)।

2. क्षति क्षतियों/रोग/रोगों की तारीख से कितनी अवधि तक—

(क) रेल सेवक कर्तव्य के लिए अयोग्य रहा है ? :
(ख) रेल सेवक को कर्तव्य के लिए अयोग्य रहने की संभावना है ?

स्थान :

चिकित्सा बोर्ड के पोठासीन चिकित्सा

तारीख :

अधिकारी के हस्ताक्षर

बोर्ड के सदस्य के हस्ताक्षर

टिप्पणी—जो शब्द लागू न हों/हों, कृपया उसे/उन्हें काट दें।

प्रश्न 'ब'

(कृपया प्रश्न 'ग' और प्रश्न 'क' भी देखिए)

प्राकस्मिक और प्रात्मकृत क्षतियों के संबंध में रिपोर्टें

1. क्षतिग्रस्त व्यक्ति द्वारा घोषणा।

मैं..... घोषणा करना हूँ कि मुझे (संख्यांक, रैंक, नाम और यूनिट)

..... को जो क्षति हुई थी वह मेरे द्वारा + मुझे रेल कर्तव्य के पालन के दौरान हुई थी/+ नहीं हुई थी।

(चिकित्सा अधिकारी जिसके समक्ष घोषणा की गई है)।

(क्षतिग्रस्त व्यक्ति)

स्टेशन

तारीख

स्टेशन

तारीख

2. क्षति की प्रकृति, अवस्थान और तीव्रता

टिप्पण :— यदि यह विश्वास किया जाना है कि घाव प्रात्मकृत है तो अस्पताल को तुरंत अधिसूचित किया जाना है।

(चिकित्सा अधिकारी)

3. मामले की परिस्थितियों के बारे में संक्षिप्त कथन :

(साक्षियों के दुर्घटना की परिस्थितियों का विस्तृत विवरण देते हुए हस्ताक्षरित कथन इस प्रश्न के साथ संलग्न किया जाना चाहिए। लोरी, मोटरकार या साइकिल दुर्घटनाओं के मामलों में स्थान या दुर्घटना-स्थल का और यह कैसे हुई उसका रेखा-चित्र।

4. कमांडेंट/कार्यालय के प्रधान की राय :

- (क) (i) क्या व्यक्ति शासकीय कार्य के पालन के अनुक्रम में था या कोई ऐसा कार्य था, जो न किए जाने पर उसको लागू अनुशासनिक संहिता के अधीन विचारणीय अपराध बनता ? (कार्य की प्रकृति, किसके द्वारा और कब आदेश किया गया था, उपदर्शित करें)।

अथवा

- (ii) क्या दुर्घटना व्यक्ति के क्वार्टर से कर्तव्य के नियत स्थान तक या उससे क्वार्टर की लौटते समय आयोजित व्यवस्थाओं के अधीन उचित मार्ग द्वारा यात्रा या परिवहन के दौरान हुई ? यदि यात्रा या परिवहन की सामग्रीय रूप से व्यवस्था की गई थी तो उसके समर्थन में स्थायी अनुदेशों या अन्य आदेशों को उद्धृत करें और उनकी प्रतियां तथा व्यक्ति के क्वार्टर में कर्तव्य के स्थान तक उचित मार्ग दर्शित करते हुए रेखा-चित्र संलग्न करें।

अथवा

- (iii) क्या व्यक्ति ऐसे श्रमोद-प्रमोद में भाग ले रहा था जो सेवा प्राधिकारियों द्वारा आयोजित या अनुज्ञात था? श्रमोद-प्रमोद की, उदाहरणार्थ, पीटी व्यायाम, जिसके अंतर्गत खेल भी हैं, प्रकृति को उपदर्शित करें। परेड समय से बाहर खेल और क्रीड़ा की दशा में, यह उपदर्शित करने के लिए कि यह सक्षम प्राधिकारी द्वारा आयोजित या अनुज्ञात था, शासकीय आदेश उद्धृत करें और उनकी प्रति संलग्न करें।

अथवा

- (iv) क्या व्यक्ति, किसी निकाय में या अकेले आयोजित व्यवस्थाओं के अधीन यात्रा कर रहा था ? (यह उपदर्शित करने के लिए कि व्यवस्थाओं का आयोजन सक्षम प्राधिकारी द्वारा किया गया था, शासकीय आदेश उद्धृत करें और उनकी प्रति संलग्न करें)।

अथवा

- (v) क्या व्यक्ति अपनी छुट्टी के स्थान को जा रहा था या अपनी छुट्टी के स्थान से कर्तव्य पर लौट रहा था ? किसी भी मामले में, क्या यात्रा सरकारी व्यय या रियायती वाउचर या व्यक्ति को अपने खर्चे पर की गई थी? निम्नलिखित दीजिए—

- (1) छुट्टी की अवधि के आरंभ और समाप्त होने की तारीख,
- (2) छुट्टी स्थान का नाम; और
- (3) कर्तव्य के स्थान से छुट्टी स्थान को या उससे कर्तव्य के स्थान को सीधे मार्ग की विविधियां।

- (ख) क्या दुर्घटना पूर्णतः/भागतः :—

- (i) गंभीर उपेक्षा,
और/या

- (ii) व्यक्ति के अचर्य के कारण हुई थी ?

(गंभीर उपेक्षा या अचर्य की प्रति और वे आधार, जिन पर राय आधारित है, उपदर्शित करें)।

- (ग) क्या दुर्घटना के लिए किसी अन्य को दोषी माना जाए ? (यदि हाँ तो यह उपदर्शित करें कि कैसे और कितने विस्तार तक)।

- (घ) क्या व्यक्ति तात्त्विक समय में नशीले पेय या औषधि के प्रभाव में था ?

- (ङ) क्या कोई जांच न्यायालय बैठाया गया है या बैठाया जाएगा ? (यदि हाँ, तो जांच की तारीख और स्थान उपदर्शित करें और (मूल) जांच रिपोर्ट संलग्न करें)।

स्थान.....

तारीख.....

कमान आफिसर.....

कार्यालय का प्रधान.....

6. शांति/फील्ड/संक्रियात्मक क्षेत्र में हुई क्षति/निःशक्तता/मृत्यु और यह रेल सेवा के कारण हुई नहीं मानी जा सकती :

तारीख

स्थान

**स्थान का प्रधान
फंटियर महानिदेशक
कार्यालय का प्रधान
विभागाध्यक्ष

* मृत्यु के सभी मामलों में, जांच-न्यायालय अवश्य बैठाया जाएगा; ऐसा 20 प्रतिशत से अधिक वाली निःशक्तता के बारे में भी है।

** यदि क्षति तीव्र नहीं है तो उसे यूनिट के कमान आफिसर द्वारा भरा जाए और हस्ताक्षर किए जाएंगे तथा जांच न्यायालय नहीं बैठाया जाएगा।

केवल फील्ड सेवा के संबंध में उपयोग के लिए (प्ररूप 6-2)

(जहां क्षतियां आत्मकृत हैं या उनके बारे में यह संदेह है कि वे आत्मकृत हैं वहां फील्ड सेवा के सभी मामलों में भरा जाए)।

6. (क) यूनिट कमांडर की राय

(ख) की गई या प्रस्तावित अनुशासनिक कार्रवाई, चाहे क्षतिग्रस्त व्यक्ति के विरुद्ध हो या किसी अन्य के विरुद्ध।

यूनिट का कमांडर

सेवा में

उप महानिरीक्षक,
राज्य

7. मेरे दुर्घटना सिगनल सं.....के संदर्भ में अग्रेषित

तारीख

तारीख

कमान उप महानिरीक्षक
राज्य

सेवा में

महानिरीक्षक,
फंटियर
महानिरीक्षक का विनिश्चय

8. दुर्घटना कोके रूप में रिपोर्ट किया जाना चाहिए।

तारीख

जनरल आफिसर कमांडिंग, फंटियर

सेवा में,

महानिदेशक

टिप्पणी : — यदि महानिरीक्षक यह विनिश्चय करता है कि दुर्घटना को आत्मकृत रूप में रिपोर्ट किया जाना चाहिए तो उसे यह उपबोधित करना चाहिए कि वह ऊपर अभिव्यक्त राय से कितना सहमत है।

प्ररूप 'ड.'

(प्ररूप 'ग' और प्ररूप 'घ' भी देखिए)

(क्षतियों के कारण हुए मामलों से भिन्न) ऐसे मामलों के संबंध में, जिनका परिणाम प्राणांतक है या जिनमें अयोग्य बनाने के लिए प्रस्ताव है, रिपोर्ट के लिए प्ररूप—

भाग क

(चिकित्सा अधिकारी द्वारा भरा जाए)

स्थान
 तारीख

नाम सेवा में पदनाम
 यूनिट सेवा खल अन्य पूर्ण सेवा
 विनिष्टयां और कार्यालय पता, आदि
 निःशक्तता

चिकित्सा अधिकारी

भाग ख

(शाफ़िबर कमांडिंग यूनिट द्वारा उत्तर दिया जाए)

मामले की परिस्थितियां—

- क्या आपकी राय में व्यक्ति औसत शारीरिक गठन और शक्ति का था जब उसने यूनिट ग्रहण किया ?
- (क) क्या व्यक्ति, जहां तक आपको जानकारी है, बीमारी के प्रभाव से पहले सामान्य स्वास्थ्य का था ?
 (ख) यदि किसी पूर्ववर्ती बीमारी की, जिससे वह पीड़ित हुआ था, ऐसी निशानियां हैं (जो उसके चिकित्सा इतिवृत्त में अभिलिखित नहीं हैं) प्रकृति और अवधि कथित करें
- क्या व्यक्ति बैठे रहने वाले कर्तव्य पर/परिरक्षित उपजीविका में नियोजित था ? यदि हां, तो—
 (क) क्या उसे पी.टी. और/या परेड करना था ?
 (ख) क्या वह बीमार पड़ने के पूर्व उसे नियमित रूप से कर रहा था या उसे अस्वस्थ होने के कारण उससे छूट दी गई थी ? यदि हां, तो किस तारीख से ?
- (क) (1) प्रभावित व्यौरे देने हुए उसकी किन्हीं परिस्थितियों का उल्लेख करें, और/या
 (2) किसी विनिष्ट स्थान में, सेवा की अवधि और दशाओं के बारे में कथित करें जिन्हें आप समझते हैं कि उनसे बीमारी कारित हुई या उसमें वृद्धि हुई।
 (ख) (1) उन कर्तव्यों की प्रकृति बताएं जिनका उसे सरकारी सेवा में पालन करना था।
 (2) क्या वह ऐसे कर्तव्यों के कारण दबाव और तनाव में था ? यदि हां, तो क्या वह किसी समाधारण प्रकृति का था ? व्यौरे दें।
 (ग) कतिपय क्षेत्रों में स्थानिक रोग या संक्रमण के कारण रोग :
 (1) यदि निःशक्तता या मृत्यु संक्रमण के कारण हुई थी, तो क्या कोई साक्ष्य है कि प्रभावित उनकी ओर से उपेक्षा या उपचार के कारण था ?
 (2) क्या वह यूनिट लाइन में रहता था या उसे कुटुंब के साथ बाहर रहने के लिए अनुज्ञान किया गया था ?
 (3) उसे पूर्व मास के दौरान कितने बाहर के पास अनुज्ञान किए गए थे और बाहर जाने अंतिम पाम की तारीख क्या थी ?
 (4) क्या उस क्षेत्र में, जिसमें वह सेवा कर रहा था, स्थानिक रोग था और क्या इस अवधि या उसके ठीक पूर्ववर्ती अवधि के दौरान यूनिट में उसी रोग के अन्य मामले थे ? यदि हां, तो ऐसे मामलों की संख्या दें, संक्रमित व्यक्तियों के संचलन के व्यौरे दें और ऐसी किन्हीं अन्य परिस्थितियां कथित करें जो रोग के लिए उत्तरदायी हों।
 (5) अंतिम छुट्टी और उन स्थानों की, जहां छुट्टी बिताई गई थी, तारीख दें। क्या बीमारी छुट्टी के दौरान शुरू हुई ? यदि वह छुट्टी के वापस आने के बाद शीघ्र शुरू हुई, तो वह तारीख बताएं जिसका बीमारी शुरू हुई।
- (घ) रतिय रोग (नीचे उल्लिखित मुद्दा पर आर जानकारी दें) --
 (1) यह कब लगा था ?
 (2) उपचार की अवधि
 (3) क्या वह उपचार के पश्चात् पूर्ण कर्तव्य पर लौट आया ?

- (4) क्या कर्तव्य पक्ष पर लौटने के पश्चात् अस्पताल गिराणी और उपचार निवृत्तान विनियमों के अनुसार जारी रखा गया था ?
- (5) क्या कर्तव्य पक्ष पर लौटने के पश्चात् वह किसी असाधारण प्रकृति के किसी दबाव के अधीन था ? यदि हाँ, तो असाधारण दबाव की प्रकृति का उल्लेख करें।

5. क्या आप समझते हैं कि मृत्यु या निःशक्तता सेवा के कारण हुई या गुरुतर हुई मानी जा सकती है ?

आफिसर कमांडिंग

तारीख

कार्यालय का प्रधान

.....
विभागाध्यक्ष

भाग १

(संबद्ध चिकित्सा अधिकारी द्वारा मृत्यु के सभी मामले में भरा जाए)

- (1) इस व्यक्ति के प्रवेश में पूर्व इस रोग के कितने मामले का उपचार छह मास के दौरान किया गया ?
- (2) इस रोग के कितने मामले इस यूनिट से प्राप्त हुए ?
ऐसे रोगियों के ब्यौरे कालानुक्रम में दें।
- (3) क्या संक्रमण स्थानिक था या स्थानीय गैरिस्त में उनके किसी प्रकोप के कारण था ?
- (4) क्या पड़ोसी नगर या ग्राम में रोग का प्रकोप था
- (5) आपका संक्रमण के स्रोत के बारे में क्या विचार है ? सभी मामलों में यह बताना कि क्या मृत्यु सेवा के कारण हुई हुई या गुरुतर मानी जा सकती है और वे कारण वे जिन पर आपकी राय आधारित है।

.....
कमांडिंग आफिसर, अस्पताल

1. मुख्य चिकित्सा अधिकारी,
चिकित्सा बोर्ड का पीठासीन अधिकारी।
2. चिकित्सा अधिकारी, चिकित्सा बोर्ड का सदस्य।
3. चिकित्सा अधिकारी, चिकित्सा बोर्ड का सदस्य।

[सं. 93/सी आर/पेंशन नियम]

मसीदुज्जमा, सचिव

MINISTRY OF RAILWAYS

(Railway Board)

NOTIFICATION

New Delhi, the 3rd December, 1993

S.O. 930(E).—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely :—

CHAPTER I

PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Railway Services (Pension) Rules, 1993.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application.—Save as otherwise expressly provided in these rules, these rules shall apply to the following railway servants, namely :—

(1) any Group 'D' railway servant whose service was pensionable before the introduction of Pension

System for Railway Servants on the 16th day of November, 1957;

(2) any non-pensionable railway servant who was in service on the 16th day of November, 1957 and who elected to be governed by these rules,

(3) any non pensionable railway servant who was in service on the 1st day of January, 1986 and did not opt to be governed by the State Railway Provident Fund (Contributory) Rules; and

(4) any person entering a railway service on or after the 16th November, 1957, except a person who is appointed on contract or re-employed after superannuation or whose terms of appointment specifically provide to the contrary.

3. Definitions.—In these rules unless the context otherwise requires,

(1) "Accounts Officer" means a Financial Adviser and Chief Accounts Officer of a railway or such other Officers as may be appointed in this behalf by the Railway Board;

(2) "allottee" means a railway servant to whom railway or Government accommodation has been allotted on payment of licence fee or otherwise;

(3) "average emoluments" means average emoluments as determined in accordance with rule 50;

(4) "Code" means the Indian Railway Establishment Code, as amended from time to time.

(5) "child" means son or unmarried daughter of a railway servant under twenty-five years of age and the expression "children" shall be construed accordingly;

(6) "dearness relief" means a dearness relief within the meaning of rule 75;

(7) "Defence Services" means services under the Government of India in the Ministry of Defence and the Defence Accounts Department under the control of the Ministry of Finance Paid out of the Defence Services Estimates and not permanently subject to the Air Force Act, 1950 (45 of 1950) or the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957);

(8) "emoluments" means emoluments as defined in rule 49;

(9) "family pension" means family pension 1964 admissible under rule 75;

(10) "foreign service" means service in which a railway servant receives his pay with the sanction of the Government from any source other than the Consolidated Fund of India or the Consolidated Fund of a State or the Consolidated Fund of a Union territory;

(11) "Form" means a Form appended to these rules;

(12) "Government" means the Central Government;

(13) "Government dues or railway dues" means dues referred to in sub-rule (3) of rule 15;

(14) "gratuity" includes—

(1) service gratuity payable under sub-rule (1) of rule 69;

(2) retirement gratuity or death gratuity payable under sub-rule (1) of rule 70; and

(3) residuary gratuity payable under sub-rule (2) of rule 70;

(15) "Head of a department" means any authority whom the President may, by order, declare to be the Head of a department for the purpose of these rules;

(16) "Head of Office" means a gazetted officer whom the appointing authority may, by order declare as Head of office and includes such other authority or person whom the appointing authority may specify in the like manner;

(17) "Local Fund Administered by Government" means the fund administered by a body which, by law or rule having the force of law, comes under the control of the Government and over whose expenditure the Government retains complete and direct control;

(18) "minor" means a person who has not completed the age of eighteen years;

(19) "pension" includes gratuity except when the term pension is used in contra distinction to gratuity but does not include dearness relief.

(20) "pension disbursing authority" means—

(i) Branch of a nationalised bank; or

(ii) Treasury including sub-treasury or

(iii) post office or sub post office authorised to disburse pension on behalf of Railways or

(iv) Accounts Officer.

(21) "pension sanctioning authority" means the authority competent to sanction pension under these rules;

(22) "qualifying service" means service rendered while on duty or otherwise which shall be taken into account for the purpose of pensions and gratuities admissible under these rules;

(23) "railway servant" means a person who is a member of a railway service or holds a post under the administrative control of the Railway Board and includes a person who is holding the post of Chairman, Financial Commissioner or a Member of the Railway Board but does not include casual labour or Persons lent from a service or post which is not under the administrative control of the Railway Board to a service or post which is under such administrative control;

(24) "retirement benefits" includes pension or service gratuity and retirement gratuity where admissible.

(25) "service book" includes service roll, if any;

(26) "substitutes" means a person engaged against a regular, permanent or temporary post by reason of absence on leave or otherwise of a permanent or temporary railway servant and such substitute shall not be deemed to be a railway servant unless he is absorbed in the regular railway service.

(27) "Treasury" included a sub-treasury.

4. Meaning of words and expressions not defined in these rules.—Words and expressions used herein and not defined but defined in the Code shall have meaning respectively assigned to them in that Code.

5. Government servants transferred from services and posts to which these rules do not apply. (1) A Government servant whose service is pensionable under the Central Government shall become subject to these rules if he is permanently transferred to a railway service on or after first day of April, 1957.

(2) Where sub-rule (1) applies, any amount paid by such Government servant to the General Provident Fund or any other non-contributory Provident Fund while in previous employment, alongwith the interest thereon standing to his credit shall be transferred to his new account in the State Railway Provident Fund (non-contributory).

(3) The previous service rendered by such Government servant shall be taken into account for the purpose of these rules to the extent permissible under these rules.

NOTE.—A temporary Government servant who has been or is likely to be retrenched from Civil Department and succeeds in securing employment in railway service while on terminal leave or before their services are actually terminated, shall also be treated as having been transferred.

CHAPTER II

GENERAL CONDITIONS

6. Regulation of claims to pension or family pension.—(1) Any claim to pension or family pension shall be regulated by the provisions of these rules in force at the time when a railway servant retires or is retired or is discharged or is allowed to resign from service or dies, as the case may be.

(2) The day on which a railway servant retires or is retired or is discharged or is allowed to resign from service or dies as the case may be, shall be treated as his last working day.

Provided that in the case of a railway servant who is retired prematurely or who retires voluntarily under the provisions or rules 1802 to 1804 of the Code or under the scheme of voluntary retirement after completing twenty years of qualifying service under rule 67, as the case may be, the date of retirement shall be treated as a non-working day.

7. Limitation on number of pensions.—(1) A railway servant shall not earn two pensions in the same service or post at the same time or by the same continuous service.

(2) Except as provided in rule 34, a railway servant who, having retired on a superannuation pension or retiring pension is subsequently re-employed shall not be entitled to a separate pension or gratuity for the period of his re-employment.

8. Pension subject to future good conduct.—(1)(a) Future good conduct shall be an implied condition of every grant of pension and its continuance under these rules.

(b) The appointing authority may, by order in writing, withhold or withdraw a pension or a part thereof, whether permanently or for a specified period, if the pensioner is convicted of a serious crime or is found guilty of grave misconduct.

Provided that where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below the amount of rupees three hundred and seventy five per mensem.

(2) Where a pensioner is convicted of a serious crime by a court of law, action under sub-rule (1) shall be taken in the light of the judgment of the court relating to such conviction.

(3) In a case not falling under sub-rule (2), if the authority referred to in sub-rule (1) considers that the pensioner is prima facie guilty of grave misconduct it shall, before passing an order under the sub-rule (1),—

(a) serve upon the pensioner a notice specifying the action proposed to be taken against

him and the ground on which it is proposed to be taken and calling upon him to submit, within fifteen days of the receipt of the notice or such further time not exceeding fifteen days as may be allowed by the appointing authority, such representation as he may wish to make against the proposal; and

(b) take into consideration the representation, if any, submitted by the pensioner under clause(a).

(4) Where the authority competent to pass an order under sub-rule (1) is the President, the Union Public Service Commission shall be consulted before the order is passed.

(5) An appeal against an order under sub-rule(1), passed by any authority other than the President, shall lie to the President and the President shall, in consultation with the Union Public Service Commission, pass such orders on such appeal as he deems fit.

Explanation : In this rule the expression—

(a) "serious crime" includes a crime involving offence under the Official Secrets Act, 1923 (19 of 1923);

(b) "grave misconduct" includes the communication or disclosure of any secret official code or password or any sketch plan, model, article, note, documents or information, such as is mentioned in section 5 of the Official Secrets Act, 1923 (19 of 1923) which was obtained while holding office under the Government so as to prejudicially affect the interests of the general public or security of the State.

9. Right of the President to withhold or withdraw pension.

(1) The President reserves to himself the right of withholding or withdrawing a pension or gratuity, or both, either in full or in part, whether permanently or for a specified period, and of ordering recovery from a pension or gratuity of the whole or part of any pecuniary loss caused to the wav. If, in any departmental or judicial proceedings, the pensioner is found guilty of grave misconduct or negligence during the period of his service, including service rendered upon re-employment after retirement;

Provided that the Union Public Service Commission shall be consulted before any final orders are passed.

Provided further that where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below the amount of rupees three hundred seventy five per mensem.

(2) The departmental proceedings referred to in sub-rule (1)—

(a) if instituted while the railway servant was in service whether before his retirement or during his re-employment, shall after the final retirement of the

railway servant, be deemed to be proceeding under this rule and shall be continued and concluded by the authority by which they were commenced in the same manner as if the railway servant had continued in service.

Provided that where the departmental proceedings are instituted by an authority subordinate to the President, that authority shall submit a report recording its findings to the President;

(b) if not instituted while the railway servant was in service, whether before his retirement or during his re-employment,—

- (i) shall not be instituted save with the sanction of the President;
- (ii) shall not be in respect of any event which took place more than four years before such institution;
- (iii) shall be conducted by such authority and in such place as the President may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could be made in relation to the railway servant during his service.

(3) In the case of a railway servant who has retired on attaining the age of superannuation or otherwise and against whom any departmental or judicial proceedings are instituted or where departmental proceedings are continued under sub-rule (2), a provisional pension as provided in rule 96 shall be sanctioned.

(4) Where the President decides not to withhold or withdraw pension but orders recovery of pecuniary loss from pension, the recovery shall not ordinarily be made at a rate exceeding one third of the pension admissible on the date of retirement of a railway servant.

(5) For the purpose of this rule,—

- (a) departmental proceedings shall be deemed to be instituted on the date on which the statement of charges is issued to the railway servant or pensioner, or if the railway servant has been placed under suspension from an earlier date, on such date; and
- (b) judicial proceedings shall be deemed to be instituted,—
 - (i) in the case of criminal proceedings, on the date on which the complaint or report of a Police Officer, of which the Magistrate takes cognisance, is made; and
 - (ii) in the case of civil proceedings, on the date the plaint is presented in the Court.

10. Provisional Pension Where departmental or judicial proceedings may be pending. (1) (a) In respect of a railway servant referred to in sub-rule (3) of Rule 9, the Accounts Officer shall authorise the provisional pension not exceeding the maximum pension which would have been admissible on the

basis of qualifying service up to the date of retirement of the railway servant or if he was under suspension on the date of retirement, upto the date immediately preceding the date on which he was placed under suspension.

(b) The provisional pension shall be authorised by the Accounts Officer during the period commencing from the date of retirement upto and including the date on which, after the conclusion of departmental or judicial proceedings, final orders are passed by the competent authority.

(c) No gratuity shall be paid to the railway servant until the conclusion of the departmental or judicial proceedings and issue of final orders thereon: provided that where departmental proceedings have been instituted under the provisions of the Railway Servants Discipline and Appeal Rules, 1968, for imposing any of the penalties specified in clauses (i), (ii), (iii) and (iv) of rule 6 of the said rules, the payment of gratuity shall be authorised to be paid to the railway servant.

(2) Payment of provisional pension made under sub-rule (1) shall be adjusted against final retirement benefits sanctioned to such railway servant upon conclusion of such proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

11. Commercial employment after retirement. (1) If a pensioner who, immediately before his retirement was a member of Central Service Group 'A' wishes to accept any commercial employment before the expiry of two years from the date of his retirement, he shall obtain the previous sanction of the Government to such acceptance by submitting an application in Form 18.

Provided that a Government servant who was permitted by the Government to take up a particular form of commercial employment during his leave preparatory to retirement or during refused leave shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

(2) Subject to the provisions of sub-rule (3), the Government may, by order in writing, on an application made under sub-rule (1) by a pensioner, grant, subject to such condition, if any, as it may deem necessary, permission, or refuse, for reasons to be recorded in the order, permission to such pensioner to take up the commercial employment specified in the application.

(3) In granting or refusing permission under sub-rule (2) to a pensioner for taking up any commercial employment, the Government shall have regard to the following factors, namely:—

- (a) the nature of the employment proposed to be taken up and the antecedents of the employer;
- (b) whether his duties in the employment which he proposes to take up might be such as to bring him into conflict with Government;

- (c) whether the pensioner while in service had any such dealing with the employer under whom he proposes to seek employment as might afford a reasonable basis for the suspension that such pensioner had shown favour to such employer;
- (d) whether the duties of the Commercial employment proposed involve liaison or contact work with Governments;
- (e) whether his commercial duties will be such that his previous official position or knowledge or experience under Government could be used to give the proposed employer an unfair advantage;
- (f) the emoluments offered by the proposed employer; and
- (g) any other relevant factor.

(4) Where within a period of sixty days of the date of receipt of an application under sub-rule (3), the Government does not refuse to grant the permission applied for or does not communicate the refusal to the applicant, the Government shall be deemed to have granted the permission applied for :

Provided that in any case where defective or insufficient information is furnished by the applicant and it becomes necessary for Government to seek further clarifications or information or both from him, the period of sixty days shall be counted from the date on which the defects have been removed or complete information has been furnished by the applicant.

(5) Where the Government grants the permission applied for subject to any conditions or refuses such permission, the applicant may, within thirty days of the receipt of the order of the Government to that effect, make a representation against any such condition or refusal and the Government may make such orders thereon as it deems fit :

Provided that no order other than an order cancelling such condition or granting such permission without any conditions shall be made under this sub-rule without giving the pensioner making the representation an opportunity to show cause against the order proposed to be made.

(6) If any pensioner takes up any commercial employment at any time before the expiry of two years from the date of his retirement without the prior permission of the Government or commits a breach of any condition subject to which permission to take up any commercial employment has been granted to him under this rule, it shall be competent for the Government to declare by order in writing and for reasons to be recorded therein that he shall not be entitled to the whole or such part of the pension and for such periods as may be specified in the order :

Provided that no such order shall be made without giving the pensioner concerned an opportunity of showing cause against such declaration :

Provided further that in making any order under

this sub-rule, the Government shall have regard to the following factors, namely :—

- (i) the financial circumstances of the pensioner concerned;
- (ii) the nature of, and the emoluments from, the commercial employment taken up by the pensioner concerned; and
- (iii) any other relevant factor.

(7) Every order passed by the Government under this rule shall be communicated to the pensioner concerned.

(8) In this rule the expression,—

(a) “commercial employment” means—

(i) an employment in any capacity including that of an agent under a company, co-operative society, firm or individual engaged in trading, commercial, industrial, financial or professional business and includes also a directorship of such company and partnership of such firm, but does not include employment under a body corporate, wholly or substantially owned or controlled by the Central Government or a State Government;

(ii) setting up practice, either independently or as a partner of a firm, as adviser or consultant in matters in respect of which the pensioner—

- (1) has no professional qualifications and the matters in respect of which the practice is to be set up or is carried on are relatable to his official knowledge or experience, or
- (2) has professional qualifications but the matters in respect of which such practice is to be set up are such as are likely to give his clients an unfair advantage by reason of his previous official position, or
- (3) has to undertake work involving liaison or contact with the offices or officers of the Government.

Explanation : For the purpose of this rule the expression “employment” under a cooperative society includes the holding of any office, whether elective or otherwise such as that of President, Chairman, Manager, Secretary, Treasurer and the like, by whatever name called in such society;

(b) “date of retirement”, in relation to a railway servant re-employed after retirement, without any break, either in the same or in another Group ‘A’ post under the Government or in any other equivalent post under a State Government, means the date on which such railway servant finally ceases to be so re-employed in Government service.

12. Restriction on practice in Income-Tax and other cases after retirement.—(1) No pensioner who, while in service was a member of any Group ‘A’ railway service retired from a post under the Department

of Revenue in the Ministry of Finance, shall set up practice before the expiry of two years from the date of his retirement—

- (a) in any area which was within the local limit of his jurisdiction during the last three years immediately before his retirement;
- (b) in areas other than those referred to in clause (a) without the previous sanction of the President.

(2) No pension shall be payable to such pensioner who sets up practice in contravention of sub-rule (1) in respect of any period for which he has set up practice or such longer period as the Government may direct.

Explanation · For the purposes of this rule the expressions,

- (i) "practice" means practice, either independently or as a partner of a firm or a consultant or adviser in matters relating to Income-tax, Wealth tax, duties of customs, duties of Central Excise or estate duty, or as representative of assessee in proceeding under the enactment relating to the levy of such tax or duty;
- (ii) "date of retirement" shall have the same meaning as in explanation (b) to rule 11.

13. Employment after retirement under a Government outside India.—If a pensioner who immediately before his retirement was a member of railway service, Group 'A', wishes to accept any employment under any Government outside India he shall obtain the previous permission of a Ministry of Railways (Railway Board), for such acceptance, and no pension shall be payable to a pensioner who accepts such an employment without proper permission in respect of any period for which he is so employed or such longer period as the Government may direct :

Provided that a railway servant who was permitted by the Ministry of Railways (Railway Board) to take up a particular form of employment under any Government outside India during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

Explanation : For the purposes of this rule, the expression "employment under any Government outside India" includes employment under any local authority or corporation or any other institution or organisation which functions under the supervision or control of a Government outside India, or an employment under an International Organisation of which the Government of India is not a member.

14. Periods which shall not be treated as service for pensionary benefits.—Periods of employment in any of the following capacities shall not constitute service for pensionary benefits, namely,—

- (i) in a part-time capacity;
- (ii) at casual market or daily rates;
- (iii) in a non-pensionable post;

- (iv) in a post paid from contingencies except as provided in rule 31;
- (v) under a covenant or a contract which does not specifically provide for grant of pensionary benefits;
- (vi) work done on payment of a fee or honorarium;
- (vii) first four years of apprenticeship of Special Class Apprentices (the last two years of apprenticeship shall be treated as a period of probation);
- (viii) removal or dismissal from service in accordance with rule 40;
- (ix) resignation from service save as indicated under rule 41;
- (x) period of unauthorised absence in continuation of authorised joining time or in continuation of authorised leave of absence treated as overstay,
- (xi) joining time allowed to a railway servant transferred at his own request and not in public interest for which he is not entitled to be paid;
- (xii) period of service treated as dies-non;
- (xiii) foreign service in respect of which the foreign employer or railway servant has not paid service contributed unless the payment has been specifically waived by the President;
- (xiv) on contract basis except when followed by confirmation.

NOTE : Unpaid holidays, Sundays and short periods of leave for half-a-day or less granted to railway workshop staff shall be treated as qualifying service.

15. Recovery and adjustment of Government or railway dues from pensionary benefits.—(1) It shall be the duty of the Head of Office to ascertain and assess Government or railway dues payable by a railway servant due for retirement.

(2) The railway or Government dues as ascertained and assessed, which remain outstanding till the date of retirement or death of the railway servant, shall be adjusted against the amount of the retirement gratuity or death gratuity or terminal gratuity and recovery of the dues against the retiring railway servant shall be regulated in accordance with the provisions of sub-rule (4).

(3) For the purposes of this rule, the expression "railway or Government dues" includes—

- (a) dues pertaining to railway or Government accommodation including arrears of licence fee, if any;
- (b) dues other than those pertaining to railway or Government accommodation, namely balance of house-building or conveyance or

any other advance, overpayment of pay and allowances, leave salary or other dues such as Post Office or Life Insurance premia, losses (including short collection in freight charges, shortage in stores) caused to the Government or the railway as a result of negligence or fraud on the part of the railway servant while he was in service.

(4)(i) A claim against the railway servant may be on account of all or any of the following :—

- (a) losses (including short collection in freight charges, shortage in stores caused to the Government or the railway as a result of negligence or fraud on the part of the railway servant while he was in service;
- (b) other Government dues such as over-payment on account of pay and allowances or other dues such as house rent, Post Office or Life Insurance Premia, or outstanding advance,

(c) non-Government dues.

(ii) Recovery of losses specified in sub-clause (a) of clause (i) of this sub-rule shall be made subject to the conditions laid down in rule 8 being satisfied from recurring pensions and also commuted value thereof, which are governed by the Pensions Act, 1871 (23 of 1871). A recovery on account of item (a) of sub-para (i) which cannot be made in terms of rule 8, and any recovery on account of sub-clauses items (b) and (c) of clause (i) that cannot be made from these even with the consent of the railway servant, the same shall be recovered from retirement, death, terminal or service gratuity which are not subject to the Pensions Act, 1871 (23 of 1871). It is permissible to make recovery of Government dues from the retirement, death, terminal or service gratuity even without obtaining his consent, or without obtaining the consent of the members of his family in the case of a deceased railway servant.

(iii) Sanction to pensionary benefits shall not be delayed pending recovery of any outstanding Government dues. If at the time of sanction, any dues remain unassessed or unrealised the following courses should be adopted :—

- (a) In respect of the dues as mentioned in sub-clause (a) of clause (i) of this sub-rule A suitable cash deposit may be taken from the railway servant or only such portion of the gratuity as may be considered sufficient, may be held over till the outstanding dues are assessed and adjusted.
- (b) In respect if the dues as mentioned in sub-clause (b) of clause (i) of this sub-rule—
(1) The retiring railway servant may be asked to furnish a surety of a suitable permanent railway servant. If the surety furnished by him is found acceptable, the payment of his pension or gratuity or his last claim for pay, etc. should not be with held and the surety shall sign a bond in Form 2.

(2) If the retiring railway servant is unable or not willing to furnish a surety, then action shall be taken as specified in sub-clause (a) of sub-clause (iii).

(3) The authority sanctioning pension in each case shall be competent to accept the surety bond in Form 2 on behalf of the President.

(c) In respect of the dues as mentioned in sub-clause (c) of clause (i) The Quasi-Government and non-Government dues, such as amounts payable by a railway servant to Consumer Cooperative Societies, Consumer Credit Societies or the dues payable to an autonomous organisation by a railway servant while on deputation may be recovered from the retirement gratuity which has become payable to the retiring railway servant provided he gives his consent for doing so in writing to the administration.

(iv) In all cases referred to in sub-clauses (a) and (b) of clause (i) of this sub-rule, the amounts which the retiring railway servants are required to deposit or those which are with held from the gratuity payable to them shall not be disproportionately large and that such amounts are not with held or the sureties furnished are not bound over for unduly long periods. To achieve this the following principles should be observed by all the concerned authorities :—

- (a) The cash deposit to be taken or the amount of gratuity to be with held should not exceed the estimated amount of the outstanding dues plus twenty-five per centum thereof.
- (b) Dues mentioned in clause (i) of this sub-rule should be assessed and adjusted within a period of three months from the date of retirement of the railway servant concerned.
- (c) Steps should be taken to see that there is no loss to Government on account of negligence on the part of the officials concerned while intimating and processing of a demand. The officials concerned shall be liable to disciplinary action in not assessing the Government dues in time and the question whether the recovery of the irrecoverable amount shall be waived or the recovery made from the officials held responsible for not assessing the Government dues in time should be considered on merits.
- (d) As soon as proceedings of the nature referred to in rule 8 are instituted, the authority which instituted the proceedings should without delay intimate the fact to the Accounts Officer.

16 Adjustment and recovery of dues pertaining to Government or railway accommodation (1) The Directorate of Estates on receipt of intimation from the Head of Office under sub-rule (1) or rule 98 regarding the issue of No Demand Certificate shall scrutinise its records and inform the Head of Office eight months before the date of retirement of the allottee, if any licence fee was recoverable from him in respect of the period prior to eight months of his retirement. If no intimation in regard to recovery of

outstanding licence fee is received by the Head of Office by the stipulated date, it shall be presumed that no licence fee was recoverable from the allottee in respect of the period preceding eight months of his retirement.

(2) The Head of Office shall ensure that licence fee for the next eight months, that is up to the date of retirement of the allottee is recovered every month from the pay and allowances of the allottee.

(3) Where the Directorate of Estates intimates the amount of licence fee recoverable in respect of the period mentioned in sub-rule (1), the Head of Office shall ensure that outstanding licence fee is recovered in instalments from the current pay and allowances of the allottee and where the entire amount is not recovered from the pay and allowances, the balance shall be recovered out of the gratuity before its payment is authorised.

(4) The Directorate of Estates shall also inform the Head of Office the amount of licence fee for the retention of Government accommodation for the permissible period of four months beyond the date of retirement of the allottee. The Head of Office shall adjust the amount of that licence fee from the amount of the gratuity together with the unrecovered licence fee, if any, mentioned in sub-rule (3).

(5) If on any particular case, it is not possible for the Directorate of Estates to determine the outstanding licence fee, that Directorate shall inform the Head of Office that ten per cent of the gratuity or one thousand rupees, whichever is less, may be withheld pending receipt of further information.

(6) The recovery of licence fee for the occupation of the Government accommodation beyond the permissible period of four months after the date of retirement if allottee shall be the responsibility of the Directorate of Estates. Any amount becoming due on account of licence fee for retention of Government accommodation beyond four months after retirement and remaining unpaid licence fee may be recovered by the Directorate of Estates through the concerned Accounts Officer from the dearness relief without the consent of the pensioner. In such cases no dearness relief should be disbursed until full recovery of such dues have been made.

NOTE: For the purpose of this rule, the licence fee shall also include any other charges payable by the allottee for any damage or loss caused by him to the accommodation or its fittings.

(8) A railway servant shall vacate the railway accommodation immediately after his retirement.

(9) In case where a railway accommodation is not vacated by a railway servant after superannuation or after cessation of service such as voluntary retirement, or death, the full amount of the retirement gratuity, death gratuity or special contribution to Provident Fund, as the case may be, shall be withheld. The amount so withheld shall remain with the administration in the form of cash which shall be released immediately on the vacation of such railway accommodation.

17. Pensionary benefits to staff declared unfit.— If a railway servant is medically unfit for his post but is retained in service in an alternative appointment under the provisions of the Code and subsequently becomes entitled to receive retirement gratuity or pension, he shall be given the option of accepting either of the following, whichever he may prefer,—

(i) the gratuity or pension which he would normally be granted with reference to his total service in both the spells of his service taken together;

(ii) the sum, of—

(a) gratuity or pension which he would have been granted if he had been medically invalidated out of service instead of being retained in an alternative appointment at the end of the first spell of his service; and

(b) the retirement gratuity or pension which he would normally have been granted for the second spell of this service rendered in the alternative appointment :—

Provided that if the total qualifying service of the railway servant in both the spells of the service taken together exceeds 33 years, the qualifying service in the second spell shall be reduced by the number of years by which total qualifying service in both the spells taken together exceeds 33 years and his ordinary gratuity or pension and death-cum-retirement gratuity for the second spell of service shall be calculated with reference to the reduced qualifying service so calculated.

18. Pensionary, terminal or death benefits to temporary railway servants.—(1) A temporary railway servant who retires on superannuation or on being declared permanently incapacitated for further railway service by the appropriate medical authority after having rendered temporary service not less than ten years shall be eligible for grant of superannuation, invalid pension, retirement gratuity and family pension at the same scale as admissible to permanent railway servant under these rules.

Explanation: For the purpose of sub-rule (1) of this rule "service" shall have the meaning assigned to it in sub-rule (6) of rule 1002 of the Code except that it shall not include the period of first four years of apprenticeship of Special Class Railway Apprenticeship.

(2) A temporary railway servant who seeks voluntary retirement after completion of twenty years of service shall continue to be eligible for retirement pension and other pensionary benefits like retirement gratuity and family pension as admissible under these rules.

(3) In the event of death in harness of a temporary railway servant his family shall be eligible to family pension and death gratuity on the same scale as admissible to families to permanent railway servants under these rules.

(4) The terminal or death gratuity shall not be admissible,—

- (i) to a probationer or other railway servant discharged for failure to pass the prescribed test or other examination;
- (ii) in a case where the railway servant concerned resigns his post or is removed or dismissed from railway service;
- (iii) to employees re-employed under the terms of re-employment applicable to retired employees.

(5) The rules and orders applicable to the admissibility of death-cum-retirement gratuity to permanent pensionable railway servants shall apply as far as may be to the terminal or death gratuity also subject to the provisions of the sub-rules (6) to (10).

(6) No nomination for death or terminal gratuity shall be necessary.

(7) The payment of the terminal gratuity in the case of a temporary railway servant who dies before receiving payment of the said gratuity or of the death gratuity shall be made to his family in the following order of preference :—

- (1) wife or wives including judicially separated wife or wives in the case of a male railway servant.
- (2) husband including judicially separated husband in the case of a female railway servant,
- (3) sons including step sons and adopted sons,
- (4) unmarried daughters including step daughters and adopted daughters,
- (5) widowed daughters including step daughters and adopted daughters.
- (6) father/(7) mother including adopted parents in the case of individuals whose personal law permits adoption ;
- (8) brothers below the age of eighteen years including step brothers.
- (9) unmarried sisters and widowed sisters including step sisters,
- (10) married daughters, and
- (11) Children of a pre-deceased son.

(8) If the person eligible to the gratuity in the order of preference mentioned in item (1) of sub-rule (7) is totally denied any share in the property of the railway servant under a will or deed made by him, such person shall be treated as ineligible to receive the gratuity which shall then be paid to the next person in the order of preference and where the railway servant makes any such will or deed he may intimate the fact in writing to the Head of Office who

shall keep a note in the service book of the railway servant.

(9) The amount of gratuity payable to a temporary railway servant or to his family in the event of his death may be determined on the basis of the entries made in this service book and drawn without a formal application or accounts report, just as pay claims in pay bill form.

(10) The non-service staff appointed on the personal staff of Minister(s) or Deputy Ministers that is the staff appointed at the discretion of the Ministers or Deputy Ministers and who on the date of their appointment are not already in Government service shall be treated as purely temporary employees for the purpose of the benefits admissible under this rule.

19. Pension on re-employment.—Pension on re-employment shall be subject to the conditions laid down in rule 33.

CHAPTER III

QUALIFYING SERVICE

20. Commencement of qualifying service.—Subject to the provisions of these rules, qualifying service of a railway servant shall commence from the date he takes charge of the post to which he is first appointed either substantively or in an officiating or temporary capacity.

Provided that officiating or temporary service is followed, without interruption, by substantive appointment in the same or another service or post :

Provided further that—

- (a) in the case of a railway servant in a Group 'D' service or post who held a lien or a suspended lien on a permanent pensionable post prior to the 17th April, 1950, service rendered before attaining the age of sixteen years shall not count for any purpose; and
- (b) in the case of a railway servant not covered by clause (a), service rendered before attaining the age of sixteen years shall not count, except for compensation gratuity.

21. Conditions subject to which service qualifies.—

(1) The service of a railway servant shall not qualify unless his duties and pay are regulated by the Government ; or under conditions determined by the Government.

Explanation : Save as otherwise provided in these rules for the purpose of sub-rule(1) the expression "service" means service under the Government and paid by that Government from the Consolidated Fund of India or a Local Fund administered by that Government but does not include service in a non-pensionable establishment unless such service is treated as qualifying service by that Government.

(2) The case of a railway servant belonging to a State Government who is permanently transferred to a

service or post under the railways, the continuous service rendered under the State Government in an officiating or temporary capacity if any, followed without interruption by substantive appointment or the continuous service rendered under that Government in an officiating or temporary capacity, as the case may be, shall qualify.

Provided that nothing contained in this sub-rule shall apply to any such railway servant who is appointed otherwise than by deputation to a service or post to which these rules apply.

22. "Counting of service on railways as qualifying service." The service of a railway servant which shall qualify for pensionary benefits, to the extent provided for in these rules, shall be as follows :

(i) continuous service in the Indian Railways or continuous service in former company railway or in a former State Railway which have been taken over by the Central Government; and followed by service on Indian Railways.

Note : Service rendered by a railway servant with a former State Ruler whether as a State employee or personally to the ex-Ruler or in his household prior to the Federal Financial Integration, followed without break of such service, shall be treated as service in the former State Railway for the purpose of pensionary benefits irrespective of whether his emoluments were paid from the State Revenues or from the private source of the ex-Ruler.

(ii) Services rendered before joining the Indian Railway or a former Company railway or former State railway, which have been taken over by the Government, provided it is :—

(a) a service in an Indian Railway or former State railway or former Company railway if at the time of transfer it was decided that such service would count for special contribution to Provident Fund;

(b) a service on a contract basis on an Indian Railway or a former Company railway or a former State Railway subject to the provisions of rule 24;

(c) a service under a private railway company or a quasi railway body to the extent and subject to the provisions of rule 25 ;

(iii) A non-pensionable service of a scientific employee under a semi-Government institution which is financed from cess or Government grants subject to the provisions of rule 30.

(iv) A military or a war service.

(v) A qualifying service rendered under the Central Government (in a Civil Ministry or Department or as a civilian employee under the Ministry of Defence including the Ordnance Factories) or a State Government before transfer to Railways in accordance with the provisions of rule 27.

23. Counting of service on probation.—Service constituting period of probation of a railway servant appointed as a probationer or on probation and also

the last two years of apprenticeship period of Special Class Apprentices shall be treated as qualifying service.

24. Counting of service on contract.—(1) A person who is initially engaged by the railways on a contract and is subsequently appointed to the same or another post in a substantive capacity, without a break in service, such contract period of service shall be treated like any other permanent service, in the railway and be taken into account for calculating for the pensionary benefits, subject to the conditions laid down in these rules.

(1) Provided that (i) the period of contract service, during which the Contract officer did not subscribe to the State Railway Provident Fund (Contributory), shall count to the extent indicated above, if during such period, the Railway servant concerned did not receive any inflated rates of pay by reason of absence of any retirement benefits

(ii) if the railway servant concerned has subscribed to the State Railway Provident Fund (Contributory) during a period of contract service, he shall have the option either—

(a) to refund the Government contribution in the Provident Fund together with interest thereon, and Special Contribution to Provident Fund, if any, for the period in question and to count the contract service for pensionary benefits to the extent indicated above, or

(b) to retain the Government contribution to the Provident Fund with interest thereon including any other compensation and Special Contribution to Provident Fund, if any, and not to count the period of contract service in question for pensionary benefits.

(2) The option, referred to in sub-clause (a) or sub-clause (b) of clause (i) of sub-rule (1), shall be exercised within three months from the date of issue of the order of confirmation of the railway servant concerned in a substantive post and if he is on leave on that date, within three months of his return from leave, whichever is later

(3) If no option is received from the railway servant within the period referred to in sub-rule (2), he shall be deemed to have opted for retention of monetary benefits referred to in sub-clause (b) of clause (ii) of sub-rule (1).

(4) Where a railway servant (on contract basis) who was admitted to the State Railway Contributory Provident Fund opts for the alternative in sub clause (a) of clause (ii) of sub-rule (1) above, the amount of Government contribution together with interest thereon including any other compensation standing to his credit in the State Railway Provident Fund (Contributory) and the Special Contribution to the Provident Fund, if any, shall be surrendered and such amount shall be credited to the Consolidated Fund of India.

Provided that in a case where the Government contribution and the Special Contribution, if any, have been paid to the railway servant, he shall be required

to refund the amount received by him together with compound interest on the amount actually received from the date(s) of payment to the date of final refund, at the rate which would have been applicable to the Government contribution, if that amount would have remained in the Fund and earned interest, in case where the railway servant dies before the entire amount is refunded, the amount which remains to be refunded shall be adjusted against the death gratuity which may become payable to the family of such railway servant.

25. Counting of service rendered under Private railway Companies and quasi-railway bodies.—(1) The previous service of employees of the former private or former State railway companies and quasi-railway bodies who were absorbed in or appointed as fresh entrants in the Indian Railways shall be taken into account for pensionary benefits under these rules, if countable as under, for the purpose of special contribution to Provident Fund.

- (i) if under the existing orders, the service is not countable for special contribution to Provident Fund, the same shall not be taken account for pensionary benefits;
- (ii) if under the existing orders, previous service is countable for determining only eligibility for special contribution to Provident Fund the same shall be taken into account in full for pensionary benefits.

(2) The previous service, which is taken into account in accordance with the provisions of sub-rule (1), shall be treated as service in Railways to the extent indicated therein, for pensionary benefits under these rules.

26. Counting of service rendered in the Indian Railway Conference Association.—If a part of the service rendered by a railway servant in the Indian Railway Conference Association, such service shall be deemed as having been rendered under the Government and shall be taken into account for calculating the qualifying service under these rules :

Provided that the transfer has been effected as a result of the railway servants application having been forwarded through proper channel or in consequence of the Indian Railway Conference Association and the Indian Railway Administration having agreed to such transfer on account of the employee's special qualification or experience.

27. Counting of service rendered under the Central Government (in a Civil Ministry or Department or as a Civilian employee under the Ministry of Defence including Ordnance Factories) or a State Government by a person transferred and permanently absorbed on the railway.—(1) A pensionable employee transferred to the railways from another Central Government Department shall be treated as on deputation so long as he is not permanently absorbed in the railway service and on permanent absorption in such service he shall be entitled to pensionary benefits under these rules.

(2) If a permanent employee, who is a member of a Contributory Provident Fund, is transferred and permanently absorbed in a railway service on pensionable basis, the period of service rendered by him prior to his joining such railway service shall count for pensionary benefits under these rules and the employee's contribution to his Provident Fund Account shall be resumed by the Ministry or Department under which he had served prior to joining such railway service.

(3) In the case of an employee, who was a member of a Contributory Provident Fund while in the service of a State Government, the amount of Government contribution with interest thereon shall be resumed by the railways with the consent of the State Government concerned and such employee shall be allowed to count the period of his service under the State Government during which he had actually subscribed to the Contributory Provident Fund and if the State Government concerned is willing to bear the proportionate liability on service-share basis taking into account the entire service under such Government, the Government contribution for such service credited by it shall be resumed by such State Government.

(4) The provisions of rule 23 shall apply as far as may be, to the contract service rendered under a State or the Central Government Provided that the previous contract service during which the railway servant did not subscribe to a Contributory Provident Fund shall count only if the previous employer is prepared to share the proportionate liability on service-share basis for the entire service rendered under him.

28. Counting of temporary service under the State and Central Government and allocation of pensionary liability.—(1) The Government servants can be allowed the benefit of counting their qualifying service both under the Central Government and the State Governments for grant of pension by the Government from where they retire :

Provided that the gratuity, if any, received by the Government employee for temporary service under the Central or State Government shall be refunded by him to that Government concerned.

(2) The Government servants eligible to claim the benefits of combined service in accordance with sub-rule (1) shall be of the following categories :—

- (a) those who having been retrenched from the service of the Central Government or a State Government but have secured on their own, employment under a State or the Central Government either with or without interruption between the date of retrenchment and date of new appointment;
- (b) those who while holding temporary posts under the Central Government or a State Government apply for posts under the Central Government or a State Government through proper channel with proper permission of the administrative authority concerned;

Provided that where an employee is required for administrative reasons, for satisfying a technical requirement, to tender resignation from the temporary post held by him before joining the new appointment, a certificate to the effect that such resignation had been tendered for administrative reasons or to satisfy a technical requirement to join, with proper permission the new posts, may be issued by the authority accepting the resignation. A record of this certificate may also be made in his service book under proper attestation to enable him to get this benefit at the time of retirement.

(3) The provision of this rule shall not apply to the employees in the previous employment of the State Governments of Jammu and Kashmir and Nagaland.

29. Pensionary liability of Departments of the Central Government.—The liability for pension including gratuity shall be borne in full by the Department to which the Government servant permanently belongs at the time of retirement and no recovery of proportionate pension shall be made from other Department of the Central Government under whom he had served.

30. Counting of service rendered by Scientific employees in semi-Government institutions.—Service rendered by a scientific employee in a semi-Government institution which is financed from cess or Government grants and during such service he was subscribing to a Contributory Provident Fund, shall, on permanent appointment without any interruption to a pensionable railway service be counted as service qualifying for pension :

Provided that the contribution together with interest thereon paid by the said institution is made over to the Government but so much of the period of service during which he did not subscribe to the Contributory Provident Fund shall not be so reckoned unless the previous employer agrees to bear proportionate liability on account of pensionary benefits for the service so rendered. If the employee was not on a Contributory Provident Fund basis in such an institution, his previous service shall be reckoned as qualifying for pension if the previous employer agrees to bear proportionate liability on account of pensionary benefits.

31. Counting of service paid from contingencies.—In respect of a railway servant, in service on or after the 22nd day of August, 1969, half the service paid from contingencies shall be taken into account for calculating pensionary benefits on absorption in regular employment, subject to the following conditions namely :—

- (a) the service paid from contingencies has been in a job involving whole-time employment;
- (b) the service paid from contingencies should be in a type of work or job for which regular posts could have been sanctioned as posts of malis, chowkidars and khalasis;

(c) the service should have been such for which payment has been made either on monthly rate basis or on daily rates computed and paid on a monthly basis and which, though not analogous to the regular scales of pay, borne some relation in the matter of pay to those being paid for similar jobs being performed at the relevant period by staff in regular establishments;

(d) the service paid from contingencies has been continuous and followed by absorption in regular employment without a break:

Provided that the weightage for past service paid from contingencies shall be limited to the period after 1st January, 1961 subject to the condition that authentic records of service such as pay bill, leave record or service-book is available.

NOTE—(1) the provisions of this rule shall also apply to casual labour paid from contingencies.

(2) The expression “absorption in regular employment” means absorption against a regular post.

32. Counting of service of a Substitute.—Service rendered as substitute shall be counted for pensionary benefits from the date of completion of three months in the case of teachers and four months in other cases of continuous service as substitute followed by absorption in a regular Group C or Group D posts without any break.

33. Counting of pre-retirement Civil (including railway) service in the case of re-employed railway servant.—(1) A railway servant who, having retired on compensation pension or invalid pension or compensation gratuity or invalid gratuity, is re-employed and appointed substantively to a service or a post to which these rules apply, may exercise his option either :—

(a) to continue to draw the pension or retain the gratuity sanctioned for his earlier service, in which case his former service shall not be counted as qualifying service or

(b) to cease to draw his pension and refund—

- (i) pension already drawn;
- (ii) the value received for commutation of part or a part of pension; and
- (iii) the amount of death-cum-retirement gratuity including service gratuity, if any,

and count the previous service as qualifying service Provided that—

- (1) the pension drawn prior to the date of re-employment shall not be required to be refunded;

- (ii) the element of pension which was ignored for fixation of his pay including the element of pension which was not taken into account for fixation of pay shall be refunded by him;
- (iii) the element of pension equivalent of gratuity including the element of commuted part of pension, if any, which was taken into account for fixation of his pay shall be set off against the amount of death-cum-retirement-gratuity and the commuted value of pension and the balance, if any, shall be refunded by him.

Explanation—In the proviso to this sub-rule, the expression “which was taken into account” means, the amount of pension including the pension equivalent of gratuity by which pay of the railway servant was reduced on initial re-employment and the expression “which was not taken into account” shall be construed accordingly.

(2) (a) The authority issuing the order of substantive appointment to a railway service or post referred to in sub-rule (1) shall along with such order require in writing the railway servant to exercise his option under that sub-rule within three months of the date of issue of such order or if he is on leave on that date, within three months of his return from leave, whichever is later and also bring to his notice the provisions of clause (b) of that sub-rule.

(b) If no option is exercised within the period referred to in clause (a), the railway servant shall be deemed to have opted for clause (a) of sub-rule (1).

(3) In case of a railway servant, who opts or is deemed to have opted for clause (a) of sub-rule (1), the pension or gratuity admissible for his subsequent service shall be subject to the limitation that the service gratuity or the capital value of the pension and death-cum retirement gratuity, if any shall not be greater than the difference between the value of the pension and death-cum-retirement gratuity, if any, which would have been admissible to him at the time of his final retirement if the two periods of service were combined and the value of retirement benefits already granted to him for the previous service.

Note—The capital value of pension shall be calculated in accordance with the Table in the Appendix II under the Railway Service (Commutation of Pension) Rules 1993, as applicable at the time of the second or final retirement.

(4) (a) A railway servant who opts for clause (b) of sub-rule (1) shall be required to refund the gratuity including death-cum-retirement gratuity, if any, received in respect of his earlier service, in monthly instalments not exceeding thirty-six in number, the first instalment beginning from the month following the month in which he exercised such option.

(b) The right to count previous service as qualifying service shall not be revived until the whole amount has been refunded.

(5) In the case where a railway servant who, having elected to refund the gratuity, dies before the entire amount is refunded, the unrefunded amount of gratuity shall be adjusted against the death-cum-retirement

gratuity which may become payable to such deceased's family.

34. Counting of Military service rendered before employment on the railway.—(1) A railway servant who is re-employed in a railway service or post before attaining the age of superannuation and who, before such re-employment, had rendered military service after attaining the age of eighteen years, may, on his confirmation in a railway service or post, opt either—

- (a) to continue to draw the military pension or retain gratuity received on discharge from military service, in which case his former military services shall not count as qualifying service; or
- (b) to cease to draw his pension and refund,—
 - (i) the pension already drawn;
 - (ii) the value received for the commutation of a part of military pension; and
 - (iii) the amount of death-cum-retirement gratuity including service gratuity, if any,

and count previous military service as qualifying service, in which case the service so allowed to count shall be restricted to a service within or outside the employees' unit or department in India or elsewhere which is paid from the Consolidated Fund of India or for which pensionary contribution has been received by the Government :

Provided that—

- (i) the pension drawn prior to the date of re-employment shall not be required to be refunded;
- (ii) the element of pension which was ignored for fixation of his pay including the element of pension which was not taken into account for fixation of pay on re-employment shall be refunded by him;
- (iii) the element of pension equivalent of gratuity including the element of commuted part of pension, if any, which was taken into account for fixation of pay shall be set off against the amount of death-cum-retirement gratuity and the commuted value of pension and the balance, if any, shall be refunded by him.

Explanation—In the proviso to this sub-rule, the expression “which was taken into account” means the amount of pension including the pension equivalent of gratuity by which the pay of the railway servant was reduced on initial re-employment and the expression “which was not taken into account” shall be construed accordingly.

(2) (a) The authority issuing the order of substantive appointment to a railway service or post referred to in sub-rule (1) shall alongwith such order require in writing the railway servant to exercise his option under that sub-rule within three months of the date of issue of such order or if he is on leave on that date within three months of his return from leave, whichever is later and also bring to his notice the provisions of clause (b) of that sub-rule.

(b) If no option is exercised within the period referred to in clause (a), the railway servant shall be deemed to have opted for clause (a) of sub-rule (1).

(3) (a) A railway servant who opts for clause (b) of sub-rule (1) shall be required to refund the pension, bonus or gratuity received in respect of his earlier military service, in monthly instalment not exceeding thirty six in number, the first instalment beginning from the month following the month in which he exercised such option.

(b) The right to count previous service as qualifying service shall not revive until the whole amount has been refunded.

(4) In the case where a railway servant who, having elected to refund the pension, bonus or gratuity, dies before the entire amount is refunded, the unrefunded amount of pension or gratuity shall be adjusted against the death-cum-retirement gratuity which may become payable to such deceased's family.

(5) When an order is passed under this rule allowing previous military service to count as part of the service qualifying for civil pension, the order shall be deemed to include the condonation of interruption in service, if any, in the military service and between the military and railway services.

35. Verification of Military Service.—Before pension is granted, the war or Military service of the individual to whom pension is payable and the amount of bonus or gratuity in lieu of pension paid to him shall be verified, in Form 3 from the following authorities as indicated against each category of the employees namely :—

1. Ex-service Commissioned Officers—

- (i) Non-Medical Officers.—A.G's Branch/Org 3(RR&C)(d) Army Headquarters, DHQ P.O. New Delhi.
- (ii) Medical Officers.—MPRS (O) (NE) Medical Directorate, Army Headquarters, DHQPO, New Delhi.
- (b) Ex. Naval Officers.—Personal service: Directorate (Naval Appointments), Headquarters, DHQPO, New Delhi.
- (c) Ex-Air Force Officers.—Directorate of Personnel (Officers) (PO. 2) Air Headquarters, DHQPO., New Delhi.

II. Ex. J.C.Os Other Ranks and NCSE and their equivalent in the Navy and Air Force. (The authorities concerned shall be addressed enclosing two copies of Form 3,—

- (a) JCOs O Rs. and NCSE of the Indian Army.—The respective Record Office as indicated in the Discharge Certificate of an individual concerned. (A list of the existing Record Offices is given in Appendix II).
- (b) CPO Petty Officers and Sailors of the Navy.—The Captain, Naval Barracks (Drafting Office), Bombay.
- (c) MWOs., WOs., NCO's., and Airmen of the Air Force.—Directorate of Personnel (Airman, Air Headquarters) Vayu Bhawan, New Delhi.

36. Counting of period spent on leave.—All leave during service for which leave salary is payable and all extraordinary leave granted on medical grounds shall count as qualifying services:

Provided that in the case of extraordinary leave other than extraordinary leave granted on medical certificate, the appointing authority may, at the time of granting such leave; allow the period of that leave to count as qualifying service if such leave is granted to a railway servant,

- (i) due to his inability to join or rejoin duty on account of civil commotion, or
- (ii) for prosecuting higher scientific or technical studies.

37. Counting periods of suspension.—Where a railway servant is kept under suspension pending inquiry into his conduct the period of such suspension shall count as qualifying service only where on conclusion of such inquiry, he has been fully exonerated or the suspension is held to be wholly unjustified and in other cases, the period of such suspension shall not count unless the authority competent to pass orders under the rule governing such cases expressly declare that it shall count to such extent as that authority may declare. Where the authority reinstating the railway servant had not passed order as to the treatment of the period of suspension for the purpose of qualifying service for pensionary benefits the period of suspension shall qualify only if it had been treated as duty or leave due, as the case may.

38. Counting of periods spent on training.—The Ministry of Railways may, by order, decide whether the time spent by a railway servant under training immediately before his appointment to service under the railway shall count as qualifying service.

39. Counting of past service on reinstatement.—(1) A railway servant who is dismissed, removed or compulsorily retired from service, but is reinstated on appeal review, is entitled to count his past service as qualifying service.

(2) The period of interruption in service between the date of dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement, and the period of suspension, if any, shall not count as qualifying service unless regularised as 'duty' or 'leave' by a specific order of the authority which passed the order of reinstatement.

40. Forfeiture of service on dismissal or removal.—Dismissal or removal of a railway servant from a service or post shall lead to forfeiture of his past service.

41. Forfeiture of service on resignation.—(1) Resignation by a railway servant from a service or a post, unless it is allowed to be withdrawn in the public interest by the appointing authority shall lead to forfeiture of his past service.

(2) A resignation shall not lead to forfeiture of past service if it has been submitted to take up, with proper permission, another appointment, whether temporary or permanent under the Government where service qualifies for pension.

(3) Interruption in service in a case falling under sub-rule (2), due to the two appointments, being at different stations, not exceeding the joining time permissible under the rules of transfer, shall be covered by grant of leave of any kind due to the railway servant on the date of relief or by formal condonation to the extent to which the period is not covered by leave due to him.

(4) The appointing authority may permit a person to withdraw his resignation in the public interest on the following conditions, namely :—

- (i) that the resignation was tendered by the railway servant for some compelling reasons which did not involve any reflection on his integrity, efficiency or conduct and the request for withdrawal of the resignation has been made as a result of a material change in the circumstances which originally compelled him to tender the resignation;
- (ii) that during the period intervening between the date on which the resignation became effective and the date from which the request for withdrawal was made, the conduct of the person concerned was in no way improper;
- (iii) that the period of absence from duty between the date on which the resignation became effective and the date on which the railway servant is allowed to resume duty as a result of permission to withdraw the resignation is not more than ninety days;
- (iv) that the post, which was vacated by the railway servant on the acceptance of his resignation or any other comparable post, is available.

(5) Request for withdrawal or a resignation shall not be accepted by the appointing authority where a railway servant resigns his service or post with a view to taking up an appointment in or under a private commercial company or in or under a Corporation or company wholly or substantially owned or controlled by the Government or in or under a body controlled or financed by the Government.

(6) When an order is passed by the appointing authority allowing a person to withdraw his resignation and to resume duty, the order shall be deemed to include the condonation of interruption in service but the period of interruption shall not count as qualifying service.

(7) A resignation submitted for the purpose of Rule 53 shall not entail forfeiture of past service under the Government or the railway.

42. Effect of interruption in service.—(1) An interruption in the service of a railway servant shall lead to forfeiture of his past service, except in the following cases namely :—

- (a) authorised leave of absence;

- (b) unauthorised absence in continuation of authorised leave of absence so long as the post of absentee is not substantively filled ;
- (c) suspension, where it is immediately followed by reinstatement whether in the same or a different post, or where the railway servant dies or is permitted to retire or is retired on attaining the age of compulsory retirement, while under suspension;
- (d) transfer to non-qualifying service in an establishment under the control of the Government if such transfer has been ordered by a competent authority in the public interest;
- (e) joining time while on transfer from one post to another.

(2) Notwithstanding anything contained in sub-rule (1) the appointing authority may, by order, commute retrospectively the period of absence without leave as extraordinary leave.

43. Condonation of interruption in service.—(1) (a) In the absence of a specific indication to the contrary in the service book, an interruption between two spells of Government service rendered by a railway servant under Government including Civil service rendered and paid out of Defence Services Estimates or Railway Estimates shall be treated as automatically condoned and the pre-interruption service treated as qualifying service.

(b) Nothing in clause (a) shall apply to interruption caused by resignation, dismissal or removal from service or for participation in a strike.

(2) Where the break in service of a railway servant is condoned, he shall, unless specifically provided to the contrary in the sanction for such condonation, refund any gratuity, special contribution as well as Government contribution to Provident Fund, if any, with interest thereon, received by him in respect of his service before the break.

44. Treatment of breaks in service Condoned for Special contribution to Provident Fund.—Any break in service Condoned prior to the 22nd June, 1961 for the purpose of Special Contribution to Provident Fund shall be deemed to be condoned for the purpose of pensionary benefits also, provided that—

- (i) the railway servant who has not refunded the amount of gratuity (Special contribution to Provident Fund or Government contribution or both) received by him for the spell of service rendered prior to the break in service, refunds to the Government the amount thereof. No interest, need, be recovered on the amount for the period it remained with him;
- (ii) (a) the intention to make the refund has been made known by the railway servant in writing to the Accounts Officer not later than six months from the date of issue of orders of his confirmation in a substantive post or if he is on leave, within six months of date of his return from leave;

- (b) the refund may be made in instalments not exceeding twelve in numbers as may be specified by the authority who condones the break in service;
- (c) the right to count the previous service shall not revive till the whole amount has been completely refunded.

45. Addition to qualifying service in special circumstances.—(1) A railway servant who retires from a service or post after the 31st March, 1960, shall be eligible to add to his service, qualifying for superannuation pension (but not for any other class of pension), the actual period not exceeding one-fourth of the length of his service or the actual periods by which his age at the time of recruitment exceeded twenty five years or a period of five years, whichever is less, if the service or post to which the railway servant is appointed is one—

- (a) for which post-graduate research or specialist qualification or experience in scientific, technological or professional fields, is essential; and
- (b) to which candidates of more than twenty-five years of age are normally recruited.

Provided that this concession shall not be admissible to a railway servant unless his actual qualifying service at the time he quits railway service is not less than ten years.

Provided further that this concession shall be admissible only if the recruitment rules in respect of the said service or post contain a specific provision, that the service or post is one which carries the benefit of this rule.

Provided also that this concession shall not be admissible to those who are eligible for counting their past service for superannuation pension unless they opt before the date of their retirement, which option once exercised shall be final, for the weightage of service under this sub-rule forgoing the counting of past service.

(2) A railway servant who is recruited at the age of thirty-five years or more, may, within a period of three months from the date of his appointment, elect to forgo his right to pension whereupon he shall be eligible to subscribe to a Contributory Provident Fund.

(3) The option referred to in sub-rule (2), once exercised shall be final.

46. Period of deputation to United Nations and other Organisations.—A railway servant deputed on foreign service, for a period of five years or more, to the United Nations' Secretariat or other United Nations' Bodies, the International Monetary Fund, the International Bank of Reconstruction and Development, or the Asian Development Bank or the Commonwealth Secretariat, may at his option—

- (a) pay the pension contribution in respect of his foreign service and count such service as qualifying for pension under these rules; or
- (b) avail of the retirement benefits admissible under the rules of the aforesaid Organisations

and not count such service as qualifying for pension under these rules.

Provided that where a railway servant opts for clause (b), retirement benefit shall be payable to him in India in rupees from such date and in such manner as the Railway Board may, by order, specify.

Provided further that pension contributions, if any, paid by the railway servant, shall be refunded to him.

47. Verification of qualifying service after twenty five years' service, or five years before retirement :—

(1) A railway servant on completing twenty five years of service or on his being left with five years of service before the date of retirement, whichever is earlier, the Accounts Officer concerned in the case of a gazetted railway servant or the Head of Office in consultation with the Accounts Officer concerned in the case of a non-gazetted railway servant shall, in accordance with the rules for the time being in force, verify the service rendered by such railway servant, determine the qualifying service and communicate to him the period of qualifying service so determined in Form 15.

(2) Notwithstanding anything contained in sub-rule (1), where a railway servant is transferred to another department from a temporary department or on account of the closure of the department he had been previously serving, or because the post he held had been declared surplus, the verification of his service may be done whenever such event occurs.

(3) The verification done under sub-rules (1) and (2) shall be treated as final and shall not be reopened except when necessitated by a subsequent change in the rules and orders governing the conditions under which the service qualifies for pension.

48. Deficiency in service :—Any deficiency in the qualifying service of a railway servant shall not be condoned.

CHAPTER IV

Emoluments and Average Emoluments

49. Emoluments :—The expression,—(a) "emoluments", for the purpose of calculating various retirement and death benefits, means the basic pay as defined in clause (i) of rule 1303 of the Code which a railway servant was receiving immediately before his retirement or on the date of his death :

Provided that the stagnation increment shall be treated as emoluments for calculation of retirement benefits;

(b) "pay" in these rules means the pay in the revised scales under the Railway Services (revised pay) Rules, 1986) ;

Provided that 'pay element' of Running Staff shall also include fifty five per centum of the basic pay for reckoning emoluments.

Note 1. : If a railway servant immediately before his retirement or death while in service had

been absent from duty on leave for which leave salary is payable or having been suspended had been reinstated without forfeiture of service, the emoluments which he would have drawn had he not been absent from duty or suspended shall be the emoluments for the purposes of this rule :

Provided that any increase in pay (other than the increment referred to in Note (4) which is not actually drawn shall not form part of his emoluments.

Note 2. : Where a railway servant immediately before his retirement or death while in service had proceeded on leave for which leave salary is payable after having held a higher appointment. Whether in an officiating or temporary capacity, the benefit of emoluments drawn in such higher appointment shall be given only if it is certified that the railway servant would have continued to hold the higher appointment but for his proceeding on leave.

Note 3. : If a railway servant immediately before his retirement or death while in service had been absent from duty on extraordinary leave, or had been under suspension, the period whereof does not count as service, the emoluments which he drew immediately before proceeding on such leave or being placed under suspension shall be the emoluments for the purposes of this rule.

Note 4. : If a railway servant immediately before his retirement or death while in service, was on earned leave and earned an increment which was not withheld, such increment though not actually drawn, shall form part of his emoluments :

Provided that the increment was earned during the currency of the earned leave not exceeding one hundred and twenty days, or during the first one hundred and twenty days of earned leave where such leave was for more than one hundred and twenty days.

Note 5. : Pay drawn by a railway servant while on deputation to the Armed Forces of India shall be treated as emoluments.

Note 6. : Pay drawn by a railway servant while on foreign service shall not be treated as emoluments, but the pay which he would have drawn under the railway, had he not been on foreign service shall alone be treated as emoluments.

Note 7. : Where a pensioner who is re-employed in railway service elects in terms of clause (a) of sub-rule (1) of rule 33 or clause (a) of sub-rule (1) of rule 34 to retain his pension for earlier service and whose pay on re-employment has been reduced by an amount not exceeding his pension, the element of pension by which his pay is reduced shall be treated as emoluments.

Note 8. : Where a railway servant has been transferred to an autonomous body consequent

on the conversion of Department of the Railways into such a body and the railway servant so transferred opts to retain the pensionary benefits under the rules of the railway, the emoluments drawn under the autonomous body shall be treated as emoluments for the purpose of this rule.

50. Average emoluments.—Average emoluments shall be determined with reference to the emoluments drawn by a railway servant during the last ten months of his service.

Note 1. : If during the last ten months of his service a railway servant had been absent from the duty on leave of which leave salary is payable or having been suspended had been reinstated without forfeiture of service, the emoluments which he would have drawn, had he not been absent from duty or suspended, shall be taken into account for determining the average emoluments :

Provided that any increase in pay (other than the increment referred to in Note 3) which is not actually drawn shall not form part of his emoluments.

Note 2. : If, during the last ten months of his service, a railway servant had been absent from duty on extraordinary leave, or had been under suspension the period whereof does not count as service, the aforesaid period of leave or suspension shall be disregarded in the calculation of the average emoluments and equal period before the ten months shall be included.

Note 3. : In the case of a railway servant who was on earned leave during the last ten months of his service and earned an increment, which was not withheld, such increment, though not actually drawn shall be included in the average emoluments :

Provided that the increment was earned during the currency of the earned leave not exceeding one hundred and twenty days, or during the first one hundred and twenty days of earned leave where such leave was for more than one hundred and twenty days.

CHAPTER V

Classes of Pensions and Conditions governing their grant

51. Superannuation Pension.—A superannuation pension shall be granted to a railway servant who is retired on his attaining the age of compulsory retirement.

Note : As from the 1st November, 1973, railway servants in Groups 'B', 'C' and 'D' service or posts, and as from the 1st April, 1974, railway servants in Group 'A' service or posts, shall retire from service with effect from the afternoon of the last day of the month in which their date of retirement

according to rule 1801 of the Code falls, without prejudice to the provisions contained in rules 1802, 1803 and 1804 of the said Code.

52. Retiring Pension.—A retiring pension shall be granted to a railway servant who retires, or has retired before attaining the age of compulsory retirement, in accordance with the provisions of rules 66 and 67 of these rules and rule 1802 of the code.

53. Pension on absorption in or under a corporation, company or body.—(1) A railway servant who has been permitted to be absorbed in a service or post in or under a corporation or company wholly or substantially owned or controlled by the Government or in or under a body controlled or financed by the Government shall, if such absorption is declared by the Government to be in the Public Interest, be deemed to have retired from service from the date his resignation is accepted and shall be eligible to receive retirement benefits which he may have elected or deemed to have elected, and from such date as may be determined in accordance with the orders of the Railways applicable to him.

Explanation :—Date of absorption shall be —

- (i) In case a railway employee joins a corporation or company or body on immediate absorption basis, the date on which he actually joins that corporation or company or body;
- (ii) in case a railway employee initially joins a corporation or company or body on foreign service terms by retaining a lien under the railways the date from which his unqualified resignation is accepted by the railways.

(2) The provisions of sub-rule (1) shall also apply to a railway servant who is permitted to be absorbed in joint sector undertakings, wholly under the joint control of Central Government and State Governments/Union Territory Administrations or under the joint control of two or more State Governments or Union Territory Administrations.

(3) Where there is a pension scheme in a body controlled or financed by the Central Government in which a railway servant is absorbed, he shall be entitled to exercise option either to count the service rendered under the railways in that body for pension or to receive pro-rata retirement benefit for the service rendered under the railways in accordance with the orders issued by the railways.

Explanation :—Body means autonomous body or statutory body.

54. Payment of lump-sum amount to persons on absorption in or under a Corporation, Company or body.—Where a railway servant referred to in rule 53 elects the alternative of receiving the death-cum-retirement gratuity and a lump-sum amount in lieu of pension, he shall, in addition to the death-cum-retirement, be granted —

- (a) on an application made in this behalf, a lump-sum amount not exceeding the commuted value of one-third of his pension as

may be admissible to him in accordance with the provisions of the Railway Service (Commutation of Pension) Rules, 1993; and

- (b) terminal benefits equal to the commuted value of the balance amount of Pension left after commuting one-third of pension to be worked out with reference to the commutation Table in Appendix to the Railway Services (Commutation of Pension) Rules, 1993 on the date of his resignation subject to the condition that the railway servant surrenders his right of drawing two-third of his pension.

55. Invalid Pension.—(1) Invalid pension may be granted to a railway servant who retires from service on account of any bodily or mental infirmity which permanently incapacitates him for the service.

(2) A railway servant applying for an invalid pension shall submit a medical certificate, from a duly constituted medical authority, of his permanent incapacity for service due to bodily or mental infirmity.

(3) Where the medical authority referred to in sub rule (2) has declared a railway servant fit for further service of less laborious character than that which he had been doing he should, provided he is willing to be so employed, be employed on a lower post and if there be no means of employing him even on a lower post, he may be admitted to invalid pension.

(4) A railway servant may, if he considers that he is not in a fit state of health to discharge his duties, apply to the appropriate authority for retirement on invalid gratuity or pension.

56. Rules regarding medical certificate.—The medical certificate for incapacity shall be certified by the medical authority as under :—

- (i) If the railway servant is serving abroad or is on leave out of India, by a Medical Board to be convened for the purpose by the concerned Indian Mission abroad which shall consist of a physician, a surgeon and an ophthalmologist all of whom shall have consultant status and are drawn from the doctors approved for the mission concerned:

Provided that a lady doctor shall be included as a member of such Medical Board whenever a female railway servant is to be examined.

- (ii) If the railway servant is in India —

- (a) by the Medical Officer incharge of the District or Division if the railway servant holds a Group 'D' or Group 'C' post but whose pay does not exceed seven hundred and fifty rupees per mensem;
- (b) in all other cases by a Medical Board consisting of three District or Divisional Medical Officers, each in Senior Scale,

but if this is not feasible, one or two members may be the Chief Medical Officer or the Civil or Presidency Surgeon or a specialist on the staff of a recognised Medical Institution but as far as possible one of the members of such Board shall be a physician another a surgeon and the third being a specialist in the required lines.

Note : An Assistant Medical Officer in independent charge of a District or Division may be co-opted as a member of the Medical Board, in case there is any difficulty in constituting the Board of three Senior Scale Medical Officers :

Provided that if the railway servant is posted at Delhi or New Delhi in the Railway Board or in the Railway Liaison Office and is governed by the Civil (not Railways) Medical rules, the medical authority will be such as the Chairman of the Central Standing Medical Board, Dr. Ram Manohar Lohia Hospital or Safdarjung Hospital, New Delhi, may determine unless the medical examination is to be conducted at a place other than Delhi or New Delhi, in which case the medical authority shall be such as the Head of the Department may determine.

57. Conditions regarding grant of medical certificate.—(1) Save where he is on leave out of India, no railway servant shall apply for a medical certificate of incapacity and no such certificate shall be granted unless :—

- (i) the applicant produces a letter to show that the Head of his office or Department is aware of his intention to appear before the Medical authority; and
- (ii) the medical authority is informed about the age of the applicant as recorded in his Service Book or history of services and is supplied with a statement of the leave taken by him during the three years immediately preceding, and of the history of the medical case and the treatment adopted, as far as possible.

58. Statement giving grounds for retirement.—When it is proposed to retire a railway servant, on an invalid gratuity or pension on account of general disability while he is still under fifty-eight years of age, the appropriate authority under whom he is working shall forward to the medical authority an additional statement giving the grounds on which it is proposed to retire him.

59. Form of medical certificate.—The medical certificate shall be in the following form :—

“Certified that I|We have carefully examined AB son of CD.....a.....in thehis age is by his own statement, is.....years, and by appearance aboutyears.

I|We considerAB to be completely and permanently incapacitated for further service of any kind (or in the department to which he belongs) in consequence of.....(here state disease or cause). His incapacity does not appear to me|us to have been caused by irregular or intemperate habits.”

Note : If the incapacity is the result of irregular or intemperate habits, the following will be substituted for the last sentence :—

In my|our opinion his incapacity is directly has been due to accelerated or aggravated by irregular intemperate habits.

(if the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made) :—

I am|We are of the opinion that.....AB is fit for further service of a less laborious character than that which he has been doing (or may, after resting for.....months be fit for further service of a less laborious character than that which he has been doing).

60. Reasons for medical opinion of incapacity or under statement of age.—If the medical authority considers a railway servant incapacitated for further service by general debility while still under the age of fifty-eight years, it shall give detailed reasons for its opinion. If the medical authority considers him to be above fifty-eight years of age, it shall state its reasons for believing the age to be understated :

Provided that in doubtful cases, a second medical opinion shall be obtained.

61. Requirement of details in the certificate.—A mere certificate that inefficiency is due to old age or natural decay from advancing years shall not be deemed to be sufficient for retiring a railway servant on invalid gratuity or pension.

62. Date of invalidation.—A railway servant, who is declared by the medical authority referred to in rule 55 to be completely and permanently incapacitated for further service shall, if he is on duty, be retired from service from the date of relief of his duties which shall be arranged without delay on receipt of a report from the medical authority or if, he is granted leave under rule 522 of the Code on the expiry of such leave but if he is on leave at the time of receipt of the medical certificate, he shall be retired from service on the expiry of such leave or extension of leave if any granted to him under rule 522 of the said code.

63. Compensation Pension.—(1) If a railway servant is selected for discharge owing to the abolition of his permanent post, he shall, unless he is appointed to another post the conditions of which are deemed by the authority competent to discharge him, to be at least equal to those of his own have the option—

- (a) of taking compensation pension to which he may be entitled for the service he had rendered, or

(b) of accepting another appointment on such pay as may be offered and continuing to count his previous service for pension.

(2)(a) Notice of at least three months shall be given to a railway servant in permanent employment before his services are dispensed with on the abolition of his permanent post.

(b) Where notice of at least three months is not given to the railway servant and he has not been provided with other employment on the date on which his services are dispensed with, the authority competent to dispense with his services, may sanction the payment of a sum not exceeding the pay and allowances for the period by which the notice actually given to him falls short of three months.

(c) No compensation pension shall be payable for the period in respect of which he received pay and allowances in lieu of notice.

(3) In case a railway servant is granted pay and allowances for the period by which the notice given to him falls short of three months and he is re-employed before the expiry of the period for which he has received pay and allowances he shall refund the pay and allowances so received for the period following his re-employment.

(4) If a railway servant who is entitled to a compensation pension accepts instead another appointment under the railways and subsequently becomes again entitled to receive a pension of any class, the amount of such pension shall not be less than what he could have claimed if he had not accepted the appointment.

64. Compulsory retirement pension.—(1) A railway servant compulsorily retired from service as a penalty may be granted, by the authority competent to impose such penalty, pension or gratuity, or both at a rate not less than two-thirds and not more than full compensation pension or gratuity, or both admissible to him on the date of his compulsory retirement.

(2) Whenever, in the case of a railway servant the President passes an order (whether original, appellate or in the exercise of power of review) awarding a pension less than the full compensation pension admissible under these rules, the Union Public Service Commission shall be consulted before such order is passed.

EXPLANATION.—In this sub-rule, the expression “pension includes gratuity”.

(3) A pension granted or awarded under sub-rule (1) or, as the case may be, under sub-rule (2), shall not be less than three hundred seventy five rupees per mensem.

65. Compassionate allowance.—(1) A railway servant who is dismissed or removed from service shall forfeit his pension and gratuity :

Provided that the authority competent to dismiss or remove him from service may, if the case is deserving of special consideration, sanction a compassionate allowance not exceed-

ing two-thirds of pension or gratuity or both which would have been admissible to him if he had retired on compensation pension.

(2) A compassionate allowance sanctioned under the proviso to sub-rule (1) shall not be less than three hundred seventy five rupees per mensem.

CHAPTER VI

Regulation of amounts of pension

66. Retirement on completion of 30 years qualifying service.—(1) At any time after a railway servant has completed thirty years qualifying service—

(a) he may retire from service; or

(b) he may be required by the appointing authority to retire in the public interest, and in the case of such retirement the railway servant shall be entitled to a retiring pension; Provided that—

(i) a railway servant shall give a notice in writing to the appointing authority at least three months before the date on which he wishes to retire; and

(ii) the appointing authority may also give a notice in writing to a railway servant at least three months before the date on which he is required to retire in the public interest or three months' pay and allowances in lieu of such notice :

Provided further that where the railway servant giving notice under clause (i) of the first proviso is under suspension, it shall be open to the appointing authority to withhold permission to such railway servant to retire under this rule :

Provided also that the provisions of clause (a) of sub-rule (1) of this rule shall not apply to a railway servant, including Scientist or technical expert who is—

(i) on assignment under the Indian Technical and Economic Cooperation (ITEC) Programme of the Ministry of External Affairs and other aid programmes;

(ii) posted abroad in foreign based offices of the Ministries or Departments;

(iii) on a specific contract assignment to a foreign Government.

unless, after having been transferred to India, he has resumed the charge of the post in India and served for a period of not less than one year.

(2)(a) A railway servant referred to in clause (i) of the first proviso to sub-rule (1) may, make a request in writing to the appointing authority to accept notice of less than three months giving reason therefor;

(b) on receipt of a request under clause (a), the appointing authority may consider such request for curtailment of the period of notice of three months on

merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months on the condition that the railway servant shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months.

(3) A railway servant who has elected to retire under this rule and has given the necessary intimation to that effect to the appointing authority, shall be precluded from withdrawing his election subsequently except with the specific approval of such authority :

Provided that the request for withdrawal shall be within the intended date of his retirement.

Explanation.—For the purpose of this rule, “appointing authority” means the authority which is competent to make appointments to the service or post from which the railway servant retires.

67. Retirement on completion of 20 years qualifying service.—(1) At any time after a railway servant has completed twenty years’ qualifying service, he may, by giving notice of not less than three months in writing to the appointing authority retire from service :

Provided that this sub-rule shall not apply to a railway servant including Scientists or technical expert who is—

- (i) on assignment under the Indian Technical and Economic Cooperation (ITEC) Programme of the Ministry of External Affairs and other aid programmes;
- (ii) posted abroad in foreign based offices of the Ministries or Departments.
- (iii) on a specific contract assignment to a foreign Government unless, after having been transferred to India, he has resumed the charge of a post in India and served for a period of not less than one year.

(2) The notice of voluntary retirement given under sub-rule (1) shall require acceptance by the appointing authority :

Provided that where the appointing authority does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice, the retirement shall become effective from the date of expiry of the said period.

(3) (a) A railway servant referred to in sub-rule (1) may, make a request in writing to the appointing authority to accept notice of voluntary retirement of less than three months giving reasons therefor;

(b) On receipt of a request under clause (a), the appointing authority subject to the provisions of sub-rule (2), may consider such request for the curtailment of the period of notice of three months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months on the condi-

tion that the railway servant shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months.

(4) A railway servant, who has elected to retire under this rule and has given the necessary notice to that effect to the appointing authority, shall be precluded from withdrawing his notice except with the specific approval of such authority :

Provided that the request for withdrawal shall be made before the intended date of his retirement.

(5) The pension and death-cum-retirement gratuity of the railway servant retiring under this rule shall be based on the emoluments as defined under rules 49 and 50 and the increase not exceeding five years in his qualifying service shall not entitle him to any notional fixation of pay for purposes of calculating pension and gratuity.

(6) This rule shall not apply to a railway servant who retires from railway service for being absorbed permanently in an autonomous body or a public sector undertaking to which he is on deputation at the time of seeking voluntary retirement.

Explanation.—For the purpose of this rule, “appointing authority” means the authority which is competent to make appointments to the service or post from which the railway servant seeks voluntary retirement.

68. Addition to qualifying service on voluntary retirement.—(1) The qualifying service as on the date of intended retirement of the railway servant retiring under rule 66 or rule 67 of these rules or clause (k) of rule 1802 to 1804 of the Code, with or without permission, shall be increased by the period not exceeding five years, subject to the condition that the total qualifying service rendered by the railway servant does not in any case exceed thirty-three years and it does not take him beyond the date of superannuation.

(2) The weightage of five years under sub-rule (1) shall not be admissible in cases of those railway servants who are prematurely retired by the railway in the public interest under clause (b) of sub-rule (1) of rule 66 of these rules or rules 1802 to 1804 of the Code.

69. Amount of pension.—(1) In the case of a railway servant retiring in accordance with the provisions of these rules before completing qualifying service of ten years, the amount of service gratuity shall be calculated at the rate of half month’s emoluments for every completed six-monthly period of service.

(2) (a) In the case of a railway servant retiring in accordance with the provisions of these rules after completing qualifying service of not less than thirty-three years, the amount of pension shall be calculated at fifty per cent of average emoluments subject to a maximum of rupees four thousand five hundred per mensem;

(b) in the case of a railway servant retiring in accordance with the provisions of these rules before completing qualifying service of thirty-three years,

but after completing the qualifying service of ten years, the amount of pension shall be proportionate to the amount of pension admissible under clause (a) and in no case the amount of pension shall be less than rupees three hundred seventy five per mensem;

(c) notwithstanding anything contained in clauses (a) and (b), the amount of invalid pension shall not be less than the amount of family pension admissible under sub-rule (2) of rule 75.

(3) In calculating the length of qualifying service, fraction of a year equal to three months and above shall be treated as a completed one-half year and reckoned as qualifying service.

(4) The amount of pension finally determined under clause (a) or clause (b) of sub-rule (2) shall be expressed in whole rupees and where the pension contains a fraction of a rupee it shall be rounded off to the next higher rupee.

70. Retirement gratuity or death gratuity.—

(1)(a) In the case of a railway servant, who has completed five years' qualifying service and has become eligible for service gratuity or pension under rule 69, shall, on his retirement, be granted retirement gratuity equal to one-fourth of his emoluments for each completed six monthly period of qualifying service subject to a maximum of sixteen and one-half times the emoluments and there shall be no ceiling on reckonable emoluments for calculating the gratuity.

(b) If a railway servant dies while in service, the amount of death gratuity shall be paid to the family in the manner indicated in the Table below :—

TABLE

Length of qualifying service	Rate of gratuity
(i) Less than one year	2 times of emoluments
(ii) one year or more but less than 5 years	6 times of emoluments
(iii) 5 years or more but less than 20 years	12 times of emoluments
(iv) 20 years or more	Half of emoluments for ever completed six monthly period of qualifying service subject to maximum of thirty-three times emoluments provided that the amount of death gratuity shall in no case, exceed one lakh rupees.

Provided that the amount of retirement gratuity or death gratuity payable under this rule shall in no case, exceed rupees one lakh.

Provided further that the amount of retirement or death gratuity as finally calculated shall be rounded off to the next higher rupees.

(2) If a railway servant, who has become eligible for a service gratuity or pension, dies within five years from the date of his retirement from service including compulsory retirement as a penalty and the sums actually received by him at the time of his death on account of such gratuity or pension including ad-hoc increase, if any, together with the retirement gratuity admissible under sub-rule (1) and the commuted value of any portion of pension commuted by him are less than the amount equal to twelve times of his emoluments, a residuary gratuity equal to the deficiency may be granted to his family in the manner indicated in sub-rule (1) of rule 71.

(3) The emoluments for the purpose of gratuity admissible under this rule shall be reckoned in accordance with rule 49;

Provided that if the emoluments of a railway servant have been reduced during the last ten months of his service otherwise than as a penalty the average emoluments as referred to in the 50 shall be treated as emoluments.

(5) For the purposes of this rule, rules 71, 73 and 74 "family", in relation to railway servant, means—

- (i) Wife or wives including judicially separated wife or wives in the case of a male railway servant;
- (ii) husband including judicially separated husband in the case of a female railway servant;
- (iii) sons including step-sons and adopted sons;
- (iv) unmarried daughters including step-daughters and adopted daughters;
- (v) widowed daughters including step-daughters and adopted daughters;
- (vi) Father } including adoptive parents in the case of individuals whose
- (vii) mother } personal law permits adoption;
- (vi) including adoptive parents in the case of individuals whose personal law permits adoption;
- (viii) brothers below the age of eighteen years including step brothers;
- (ix) unmarried sisters and widowed sisters including step sisters;

(x) married daughters; and

(xi) children of pre-deceased son.

71. Persons to whom gratuity is payable—
(1) (a) The gratuity payable under rule 70 shall be paid to the person or persons on whom the right to receive the gratuity is conferred by making a nomination under rule 74;

(b) if there is no such nominations or if the nomination made does not subsist, the gratuity shall be paid in the manner indicated below :—

- (i) if there are one or more surviving members of the family as in clauses (i), (ii), (iii) and (iv) of sub-rule (5) of rule 70, to all such members in equal shares;
- (ii) if there are no such surviving members of the family as in sub-clause (i) above, but there are one or more members as in clauses (v), (vi), (vii), (viii), (ix), (x) and (xi) of sub-rule (5) of rule 70 to all such members in equal shares.

(2) If a railway servant dies after retirement without receiving the gratuity admissible under sub-rule (1) of rule 70 the gratuity shall be disbursed to the family in the manner indicated in sub-rule (1).

(3) The right of a female member of the family, or that of a brother of a railway servant who dies while in service or after retirement, to receive the share of gratuity shall not be affected if the female member marries or re-marries or the brother attains the age of eighteen years, after the death of the railway servant and before receiving her or his share of the gratuity.

(4) Where the gratuity is granted under rule 70 to a minor member of the family of the deceased railway servant, it shall be payable to the guardian on behalf of the minor.

72. Debarring a person from receiving gratuity.—

(1) If a person, who in the event of death of a railway servant while in service is eligible to receive gratuity in terms of rule 71, is charged with the offence of murdering the railway servant or for abetting in the commission of such an offence, his claim to receive his share of gratuity shall remain suspended till the conclusion of the criminal proceedings instituted against him.

(2) If on the conclusion of the criminal proceedings referred to in sub-rule (1), the person concerned—

- (a) is convicted for the murder or abetting in the murder of the railway servant, he shall be debarred from receiving his share of gratuity which shall be payable to other eligible members of the family, if any,
- (b) if acquitted of the charge of murdering or abetting in the murder of the railway servant,

his share of gratuity shall be payable to him.

(3) The provisions of sub-rules (1) and (2) shall also apply to the undisbursed gratuity referred to in sub-rule (2) of rule 71.

73. Lapse of death-cum-retirement gratuity.—Where a railway servant dies while in service; or after retirement without receiving the amount of gratuity and leaves behind no family, and—

(a) has made no nomination or

(b) the nomination made by him does not subsist the amount of death-cum-retirement gratuity payable in respect of such railway servant under rule 70 shall lapse to the Government;

Provided that the amount of death gratuity or retirement gratuity shall be payable to the person in whose favour a succession certificate in respect of the gratuity has been granted by a Court of law.

74. Nominations.—(1) A railway servant shall, on his initial confirmation in a service or post, make a nomination in Form 4 or Form 5, as may be appropriate in the circumstances of the case, conferring on one or more persons the right to receive the death-cum-retirement gratuity payable under rule 70.

Provided that if at the time of making the nomination—

- (i) the railway servant has a family, the nomination shall not be in a favour of any person or persons other than the members of his family; or
- (ii) the railway servant has no family, the nomination may be made in favour of a person or persons, or a body of individuals, whether incorporated or not.

(2) If a railway servant nominates more than one person under sub-rule (1), he shall specify in the nomination the amount of share payable to each of the nominees in such manner as to cover the entire amount of gratuity.

(3) A railway servant may provide in the nomination—

- (i) that in respect of any specified nominee who pre-deceases the railway servant, or who dies after the death of the railway servant but before receiving the payment of gratuity, the right conferred on that nominee shall pass to such other person as may be specified in the nomination;

Provided that if at the time of making the nomination the railway servant has a family consisting of more than one member, the person so specified shall not be a person other than a member of his family;

Provided further that where a railway servant has only one member in his family, and a nomination has been made in his favour, it is open to the railway servant to nominate alternate nominee or nominees in favour of any person or a body of individuals, whether incorporated or not;

- (ii) that the nomination shall become invalid in the event of the happening of the contingency provided therein.

(4) The nomination made by a railway servant who has no family at the time of making it, or the nomination made by a railway servant under the second proviso to clause (i) of sub-rule (3) where he has only one member of his family shall become invalid in the event of the railway servant subsequently acquiring a family, or an additional member in the family, as the case may be.

(5) A railway servant may, at any time, cancel a nomination by sending a notice in writing to the authority mentioned in sub-rule (7) :

Provided that he shall, alongwith such notice, send a fresh nomination made in accordance with this rule.

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (i) of sub-rule (3) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (ii) of that sub-rule, the railway servant shall send to authority mentioned in sub-rule (7) a notice in writing cancelling the nomination together with a fresh nomination made in accordance with this rule.

(7) (a) Every nomination made, and every notice of cancellation given by a railway servant under these rules, shall be sent by the railway servant to his Accounts Officer in the case of a gazetted railway servant and to the Head of his office in the case of non-gazetted railway servant.

(b) Immediately on receipt of a nomination from a non-gazetted railway servant, the Head of office shall countersign it indicating the date of receipt and keep it in a separate confidential file which should be lodged for safe keeping with him other responsible officer nominated by him for this purpose, and a clear note made in the service record or service book, as the case may be, of the railway servant as to what nominations and related notices have been received from him and where they have been lodged for safe custody and an acknowledgement to the railway servant concerned confirming that the nominations made by him and the related notices have been duly received and placed on record shall invariably be sent to every railway servant making or cancelling a nomination, by the Accounts Officer in the case of gazetted railway servants and by the Head of office in the case of non-gazetted railway servants.

Note :—The power to countersign nomination form sent by non-gazetted railway servants may be delegated by the Head of Office to his subordinate gazetted officer.

(8) Every nomination made, and every notice of cancellation given by a railway servant shall, to the extent that it is valid, take effect from the date on which it is received by the authority mentioned in sub-rule (7) :—

75. Family Pension Scheme for railway servants,

1964 :—(1) The provisions of this rule shall apply :—

- (a) to a railway servant entering service in a pensionable establishment on or after the 1st January, 1964 ; and
- (b) to a railway servant who was in service on the 31st December, 1963 and came to be governed by the provisions of the Family Pension Scheme for railway employees, 1964, contained in Railway Board's letter No. F(P) 63 PN-1/40, dated the 2nd January, 1964 as in force immediately before the commencement of these rules.

Note :—The provisions of this rule has also been extended from 22nd September, 1977, to railway servants on pensionable establishments who retired or died before the 31st December, 1963 and also to those who were alive on that date but had opted out of the 1964 Scheme.

(2) Without prejudice to the provisions contained in sub-rule (3), where a railway servant dies :—

- (a) after completion of one year of continuous service, or
- (b) before completion of one year of continuous service provided the deceased railway servant concerned immediately prior to his appointment to the service or post was examined by the appropriate medical authority and declared fit by that authority for railway service ;
- (c) after retirement from service and was on the date of death in receipt of pension, or compassionate allowance, referred to in Chapter V, other than the pension referred to in rule 53 ;

the family of the deceased shall be entitled to a family pension 1964 (hereinafter in this rule referred to as family pension) the amount of which shall be determined in accordance with the Table below :—

TABLE

Basic pay per month of railway servant	Rate of family pension per month inclusive of dearness relief upto average Consumer Price Index-608
(i) Not exceeding Rs. 1500	30 per cent of basic pay subject to a minimum of Rs. 375.
(ii) Exceeding Rs. 1500 but not exceeding Rs. 3000	20 per cent of basic pay subject to a minimum of Rs. 450
(iii) Exceeding Rs. 3000	15 per cent of basic pay subject to a minimum of Rs. 600 and a maximum of Rs. 1250

Explanation.—The expression "Continuous one year of service" wherever it occurs in this rule shall be construed to include "less than one year of continuous service" as defined in clause (b).

(3) The amount of family pension shall be fixed at monthly rates and expressed in whole rupees and where the family pension contains a fraction of a rupee, it shall be rounded off to the next higher rupee :

Provided that in no case a family pension in excess of the maximum specified under this rule shall be allowed.

(4) (i) (a) Where a railway servant, who is not governed by the Workmen's Compensation Act, 1923 (8 of 1923), dies while in service after having rendered not less than seven years' continuous service, the rate of family pension payable to the family shall be equal to fifty per cent of the pay last drawn or twice the family pension admissible under sub-rule (2), whichever is less, and the amount so admissible shall be payable from the date following date of death of the railway servant for a period of seven years, or for a period upto the date on which the deceased railway servant would have attained the age of sixty-five years had he survived, whichever is less.

(b) In the event of death of a railway servant after retirement, the Family Pension as determined under sub-clause (a) shall be payable for a period of seven years, or for a period upto the date on which the retired deceased railway servant would have attained the age of sixty-five years had he survived, whichever is less.

That in no case the amount of family pension determined under sub-clause (b) of this clause shall exceed the pension sanctioned on retirement from railway service :

Provided further that where the amount of pension sanctioned on retirement is less than the amount of family pension admissible under sub-rule (2), the amount of family pension determined under this clause shall be limited to the amount of family pension admissible under sub-rule (2).

Explanation.—For the purpose of this sub-clause "pension sanctioned on retirement" includes the part of the pension which the retired railway servant may have commuted before death.

(ii) (a) Where a railway servant, who is governed by the Workmen's Compensation Act, 1923 (8 of 1923), dies while in service after having rendered not less than seven years continuous service, the rate of family pension payable to the family shall be equal to fifty per cent of the pay last drawn or one and a half times the family pension admissible under sub-rule (2), whichever is less.

(b) The family pension so determined under sub-clause (a) shall be payable for the period mentioned in clause (i) :

Provided that where a compensation is not payable under the aforesaid Act, the pension sanctioning authority shall send a certificate to the Accounts Officer to

the effect that the family of the deceased railway servant shall be paid family pension on the scale, and for the period, mentioned in clause (i).

(iii) After the expiry of the period referred to in clause (i), the family, in receipt of family pension under that clause or clause (ii) shall be entitled to family pension at the rate admissible under sub-rule (2).

(5) Where an award under the Railway Services (Extraordinary Pension) Rules, 1993 is admissible, no payment of family pension under this rule shall be authorised.

(6) The period for which family pension is payable shall be as follows :—

- (i) in the case of a widow or widower, up to the date of death or remarriage, whichever is earlier ;
- (ii) in the case of a son, until he attains the age of twenty five years ; and
- (iii) in the case of an unmarried daughter, until she attains the age of twenty five years or until she gets married, whichever is earlier :

Provided that if the son or daughter, of a railway servant is suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after attaining the age of twenty-five years, the family pension shall be payable to such son or daughter for life subject to the following conditions, namely :—

- (a) the family pension shall be paid to such minor sons or daughters through the guardian on the basis of guardianship certificate or the guardian appointed by a Court :

Provided that in respect of such sons or daughters who have attained the age of majority, it shall not be necessary to obtain guardianship certificate or appointment of a guardian by a Court either for grant or continuance of family pension to be sanctioned or continued to be paid to them subject to satisfaction of other eligibility conditions, under these rules ;

- (b) before allowing the family pension for life to any such son or daughter, the sanctioning authority shall satisfy that the handicap is of such, prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer not below the rank of a Divisional Medical Officer setting out, as far as possible, the exact mental or physical condition of the child ;
- (c) the person receiving the family pension as a guardian of such son or daughter shall produce every three years a certificate from a medical officer not below the rank of Divisional Medical Officer to the effect that the son or daughter continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled.

Explanation.—(1) Only that disability which manifests itself before the retirement or

death of the railway servant while in service shall be taken into account for the purpose of grant of family pension under this sub-rule.

- (2) A daughter shall become ineligible for family pension under this sub-rule from the date she gets married.
- (3) The family pension payable to such a son or daughter shall be stopped if he or she starts earning his or her livelihood.
- (4) In such cases it shall be the duty of the guardian to furnish a certificate to the Treasury or Bank, or Post Office (Authorised disbursement units for Railways), as the case may be, every month that (i) he or she has not started earning his or her livelihood; (ii) in case of daughter that she has not yet married;
- (d) if the sons and unmarried daughters including sons and unmarried daughters suffering from disorder or disability of mind are alive, the family pension shall be payable in the order of their birth irrespective of the sex of the child and the younger of him shall not be eligible for family pension unless the elder above him or her becomes ineligible for the grant of family pension. In cases, where the family pension is payable to twin children, the same shall be payable to such twin children in equal shares and in the event of any of such children ceasing to be eligible for family pension, his or her share of family pension shall not lapse but shall become payable to the other such child and when both such children become ineligible for family pension, the family pension shall become payable to the next eligible single child or twin, as the case may be.

(7) (i) (a).—Where the family pension is payable to more widows than one, the family pension shall be paid to the widows in equal shares.

(b) On the death of a widow, her share of the family pension, shall become payable to her eligible child :

Provided that if the widow is not survived by any child, her share of the family pension shall not lapse but shall be payable to the other widows in equal share, or if there is only one such other widow, in full, to her.

(ii) Where the deceased railway servant or pensioner is survived by a widow but has left behind eligible child or children from another wife who is not alive, the eligible child or children shall be entitled to the share of family pension which the mother would have received if she had been alive at the time of the death of the railway servant or pensioner :

Provided that on the share or shares of family pension payable to such a child or children or to a widow or widows ceasing to be payable, such share or shares shall not lapse but shall be payable to the other widow or widows or the other child or children otherwise eligible, in equal shares, or if there is only one widow or child, in full, to such widow or child.

(iii) Where the deceased railway servant or pensioner is survived by a widow but has left behind child or children from a divorced wife or wives, such child or children if they satisfy other conditions of eligibility for payment of family pension shall be entitled to the share of family pension which the mother would have received at the time of the death of the railway servant or pensioner had she not been so divorced :

Provided that on the share or shares of family pension payable to such a child or children or to a widow or widows ceasing to be payable, such share or shares shall not lapse but shall be payable to the other widow or widows and or to other child or children otherwise eligible, in equal shares, or if there is only one widow or child, in full, to such widow or child.

(8) (i) Except as provided in clause (d) of sub-rule (6) and clause (i) of sub-rule (7), the family pension shall not be payable to more than one member of the family at the same time.

(ii) If a deceased railway servant or pensioner leaves behind a widow or widower, the family pension shall become payable to the widow or widower, failing which to the eligible child.

(9) Where a deceased railway servant or pensioner leaves behind more children than one, the eldest child shall be entitled to the family pension for the period mentioned in clause (b) or clause (c) of sub-rule (6), as the case may be, and after the expiry of that period the next child shall become eligible for the grant of family pension.

(10) Where family pension is granted under this rule to minor, it shall be payable to the guardian on behalf of the minor.

(11) In case both wife and husband are railway or Government servant and are governed by the provisions of this rule or corresponding provisions of the Central Civil Services (Pension) Rules, 1972, and one of them dies while in service or after retirement, the family pension in respect of the deceased shall become payable to the surviving husband or wife and in the event of the death of husband or wife, the surviving child or children shall be granted the two family pensions in respect of the deceased parents, subject to the limits specified below, namely :—

- (a) (i) if the surviving child or children is or are eligible to draw two family pensions at the rate mentioned in sub-rule (4), the amount of both the pensions shall be limited to two thousand five hundred rupees per mensem;
- (ii) if one of the family pensions ceases to be payable at the rate mentioned in sub-rule (4), and in lieu thereof the pension at the rate mentioned in sub-rule (2), becomes payable, the amount of both the pensions shall also be limited to two thousand five hundred rupees per mensem;
- (b) if both the family pensions are payable at the rates mentioned in sub-rule (2) the amount of two pensions shall be limited to one thousand two hundred fifty rupees per mensem.

(12) Where a female railway servant or a male railway servant dies leaving behind a judicially separated husband or widow and no child or children, the family pension in respect of the deceased shall be payable to the person surviving;

Provided that where in a case the judicial separation is granted on the ground of adultery and the death of the railway servant takes place during the period of such judicial separation, the family pension shall not be payable to the person surviving, if such person surviving was held guilty of committing adultery.

(13)(i) Where a female railway servant or male railway servant dies leaving behind a judicially separated husband or widow with a child or children, the family pension payable in respect of the deceased shall be payable to the surviving person provided he or she is the guardian of such child or children.

(ii) Where the surviving person has ceased to be the guardian of such child or children, such family pension shall be payable to the person who is the actual guardian of such child or children.

(14) (i) If a person, who in the event of death of a railway servant while in service, is eligible to receive family pension under this rule, is charged with the offence of murdering the railway servant or for abetting in the commission of such an offence, the claim of such a person, including other eligible member or members of the family to receive the family pension, shall remain suspended till the conclusion of the criminal proceedings instituted against him.

(ii) If on the conclusion of the criminal proceedings referred to in clause (i), the person concerned—

(a) is convicted for the murder of or abetting in the murder of the railway servant, such a person shall be debarred from receiving the family pension which shall be payable to other eligible member of the family, from the date of death of the railway servant;

(b) is acquitted of the charge of murder of or abetting in the murder of the railway servant, the family pension shall be payable to such a person from the date of death of the railway servant.

(iii) The provisions of clauses (i) and (ii) shall also apply for the family pension becoming payable on the death of a railway servant after his retirement.

(15)(i) As soon as a railway servant enters railway service, he shall furnish details of his family in Form 6 to the Head of office and if the railway servant has no family, he shall furnish the details in Form 6 as soon as he acquires a family.

(ii) It shall be the duty of the railway servant to communicate forthwith to the Head of office any subsequent change in the size of his family including the fact of marriage of his or her female child.

(iii)(a) In the case of a non-gazetted railway servant the Head of office shall keep the form 6 in safe custody and make necessary additions and alterations in the form on the basis of subsequent information

furnished by the railway servant and all the communications which a railway servant may address to the Head of office in this behalf, shall be acknowledged by the Head of Office.

(b) In the case of a gazetted railway servant, the Head of Office shall pass on the details of family members as also any additions and, alterations thereto, to the Accounts Officer for keeping the same in safe custody. It shall be the duty of the Accounts Officer to keep these particulars upto date and to acknowledge the receipt of these communications.

(16) The ad-hoc increase in pension, sanctioned in the Ministry of Railways' letter No. F(P)63 PNI/32 dated the 21st October, 1963, as amended from time to time, shall not be payable to the family in receipt of family pension under this rule.

(17) A military pensioner, who on retirement from military service, on retiring pension, service pension or invalid pension is governed for the grant of ordinary family pension by Army Instruction 2/S/64 or corresponding Navy or Air Force Instructions and is re-employed in a railway service or railway post before attaining the age of superannuation, shall for the purpose of eligibility for the family pension admissible under this rule or the family pension already authorised under the aforesaid Army, Navy or Air Force Instruction, be governed as follows :—

(i) If he dies while holding a civil post in a temporary capacity in the course of re-employment, his family may be allowed to opt for the family pension admissible under this rule or the family pension authorised at the time of his retirement or discharge from the military service under Army Instruction 2/S/64 or the corresponding Navy or Air Force Instruction;

(ii) if he retires from railway service or railway post without holding a permanent post in a substantive capacity, his family in the event of his death after retirement shall be eligible for family pension authorised under Army Instruction 2/S/64 or corresponding Navy or Air Force Instruction;

(iii) if on confirmation in a railway service or a railway post in the course of his re-employment, he has opted to retain military pension for the past military service in terms of clause (a) of sub rule (1) of rule 34, he shall exercise another option to receive family pension admissible under this rule or the family pension, already authorised under Army Instruction No. 2/S/64 or the corresponding Navy or Air Force Instruction and such option shall be exercised within a period of three months of the date of the issue of orders of substantive appointment to a railway service or railway post or if he is on leave on that day, within three months of his return from leave, whichever is later. If no option is exercised within the period aforesaid, the pensioner shall be deemed to have opted for family pension authorised under

Army Instruction No. 2[S/64 or the corresponding Navy or Air Force Instruction; and

- (iv) if on confirmation in a railway service or railway post in the course of re-employment he, in terms of clause (b) of sub-rule (1) of rule 34 has opted to surrender military pension and count in lieu thereof military service for civil pension, he shall be governed by family pension admissible under this rule.

(18) Family pension admissible under this rule shall not be granted to a person who is already in receipt of family pension or is eligible therefor under any other rules of the Central Government or a State Government or a Public Sector Undertaking, Autonomous Body or Local Fund under the Central or a State Government;

Provided that a person who is otherwise eligible for family pension under this rule may opt to receive family pension under this rule if he foregoes family pension admissible from any other source.

(19) For the purpose of this rule,—(a) “Continuous service” means service rendered in temporary or permanent capacity in a pensionable establishment and does not include—

- (i) Period of suspension, if any, and
(ii) period of service, if any, rendered before attaining the age of eighteen years;

(b) “family”, in relation to railway servant, means—

- (i) wife in the case of a male railway servant or husband in the case of a female railway servant;
(ii) a judicially separated wife or husband, such separation not being granted on the ground of adultery and the person surviving was not held guilty of committing adultery;
(iii) son who has not attained the age of twenty-five years and unmarried daughter who has not attained the age of twenty-five years, including such son and daughter born after retirement or adopted legally before retirement but shall not include a son or daughter adopted after retirement;

(c) “pay” means;

- (i) the emoluments as specified in clause (a) of rule 49, or
(ii) the average emoluments as referred to in rule 50 if the emoluments of the deceased railway servant has been reduced during the last ten months of his service otherwise than as penalty;

Provided that the element of dearness allowance which has been treated as dearness pay under the Railway Board's letter No. PC III/79/DP/1 dated the 11th June, 1979, shall not be treated as pay for the purpose of this rule.

(20) Nothing contained in this rule shall apply to—(a) a re-employed railway servant who had retired before the 1st January, 1964, from—

- (i) railway service on retiring pension, or superannuation pension, or
(ii) military service on retiring pension, service pension or invalid pension, and who on the date of re-employment, had attained the age of superannuation applicable to the post in which he is re-employed;

(b) a military pensioner who retired from military service on or after the 1st January, 1964 and who on the date of re-employment in a railway service or a post had attained the age of superannuation applicable to the post in which he is re-employed;

(c) a railway servant referred to in rule 53, who on absorption in a corporation or company wholly or substantially owned or controlled by the Government, or any other body, incorporated or not, is governed by the provisions of the family pension scheme of the corporation or company or body, as the case may be.

(21) Dearness relief on pension or family pension—

- (i) Relief may be granted to the pensioners and family pensioners in the form of dearness relief at such rates and conditions as the Government may specify from time to time.
(ii) If a pensioner is re-employed under the Central or a State Government or a Corporation, Company, Body or Bank under such Government in India or abroad including permanent absorption in such Corporation, Company, Body or Bank, he shall not be eligible to draw dearness relief on pension or family pension during the period of such re-employment.
(iii) A railway employee who gets permanently absorbed in terms of clause (a) of rule 54 and opts for lump sum payment in lieu of pro-rata monthly pension in terms of clause (a) of rule 54 shall not be eligible for dearness relief.

CHAPTER VII

Determination and authorisation of amounts of pension and gratuity

76. Preparation of list of railway servants due for retirement.—(1) Every Head of Department or Head of Office, as the case may be, shall have a list prepared every six months, that is, on the 1st January, and the 1st July each year of all railway servants who are due to retire within the next twenty-four to thirty months of that date.

(2) A copy of every such list shall be supplied to the Accounts Officer concerned not later than the 31st January or 31st July as the case may be, of that year.

(3) In the case of a railway servant retiring for reasons other than by way of superannuation, the

Head of Office shall promptly inform the Accounts Officer concerned, as soon as the fact of such retirement becomes known to him.

(4) A copy of the intimation sent by the Head of Office to the Accounts Officer under sub-rule (3) shall also be endorsed to the Engineering Department of the Railway or the Directorate of Estates, Government of India, as the case may be, if the railway servant concerned is an allottee of railway or Government accommodation.

77. Intimation to the Director of Estates regarding Issue of "No Demand Certificate".—(1) The Head of Office shall write to the Directorate of Estates at least two years before the anticipated date of retirement of the railway servant, who is in occupation of a Government accommodation (hereinafter referred to as allottee), for the issue of a 'No-Demand Certificate' in respect of the period preceding eight months of the retirement of the allottee.

(2) On receipt of the intimation under sub-rule (1), the Directorate of Estates shall take further action as provided in rule 16.

78. Preparation of Pension Papers.—Every Head of Office shall undertake the work of preparation of pension papers in Form 7, two years before the date on which a railway servant is due to retire on superannuation, or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier.

79. Stages for the completion of Pension papers.—(1) The Head of Office shall divide the period of preparatory work of two years referred to in rule 78 in the following three stages, namely :—

- (a) First Stage.—Verification of Service.—(i) The Head of Office shall go through the service book of the railway the certificates of verification for the entire service are recorded therein.
- (ii) In respect of the unverified portion or portions of service, he shall arrange to verify the portion or portions of such service, as the case may be, with reference to pay bills, acquittance rolls or other relevant records and record necessary Certificates in the service book.
- (iii) If the service for any period is not capable of being verified in the manner specified in sub-clause (i) and sub-clause (ii), that period of service having been rendered by the railway servant in another Office or Department, a reference shall be made to the Head of Office in which the railway servant is shown to have served during that period for the purpose of verification.
- (iv) If any portion of service rendered by a railway servant is not capable of being verified in the manner specified in sub-clause (i), or sub-clause (ii), or sub-clause (iii), the railway servant shall be asked to file a written statement on plain paper stating that he had in fact rendered that period of service and shall, at the foot of the state-

ment, make and subscribe to a declaration as to the truth of that statement, and shall in support of such declaration produce all documentary evidence and furnish all information which is in his power to produce or furnish.

- (v) The Head of Office shall, after taking into consideration the facts in the written statement and the evidence produced and the information furnished by that railway servant in support of the said period of service, admit that portion of service as having been rendered for the purpose of calculating the pension of that railway servant.
- (b) Second Stage.—Making good omission in the service book.—(i) The Head of Office while scrutinising the certificates of verification of service, shall also identify if there are any other omissions, imperfections or deficiencies which have a direct bearing on the determination of emoluments and the service qualifying for pension.
- (ii) Every effort shall be made to complete the verification of service, as in clause (a) and to make good omissions, imperfections or deficiencies referred to in sub-clause (i) of this clause and any omissions, imperfections or deficiencies including the portion of service shown as unverified in the service book which it has not been possible to verify in accordance with the procedure laid down in clause (a) shall be ignored and service qualifying for pension shall be determined on the basis of the entries in the service book.
- (iii) For the purpose of calculation of average emoluments, the Head of Office shall verify from the service book the correctness of the emoluments drawn or to be drawn during the last ten months of service and in order to ensure that the emoluments during the last ten months of service have been correctly shown in the service book, the Head of Office may verify the correctness of emoluments for the period of twenty four months only preceding the date of retirement of a railway servant, and not for any period prior to that date.
- (c) Third Stage.—Obtaining Form 8 by the Head of Office.—The Head of Office shall, eight months prior to the date of retirement of the railway servant, obtain Form 8 from him duly completed.

(2) Action under clauses (a), (b) and (c) of sub-rule (1) shall be completed eight months prior to the date of retirement of the railway servant.

80. Completion of Pension Papers.—The Head of Office shall complete Part I of Form 7 not later than six months of the date of retirement of the railway servant.

81. Forwarding of Pension papers to Accounts Officer.—(1) After complying with the requirement of rules 79 and 80, the Head of Office shall forward

to the Accounts Officer Form 7 and Form 8 duly completed with a covering letter in Form 9 along with service book of the railway servant duly completed, up-to-date, and any other documents relied upon for the verification of service.

(2) The Head of Office shall retain a copy each of the Forms referred to in sub-rule (1) for his records.

(3) Where the payment is desired in another circle of accounting unit, the Head of Office shall send Form 7, in duplicate, to the Accounts Officer.

(4) The papers referred to in sub-rule (1) shall be forwarded to the Accounts Officer not later than six months before the date of retirement of the railway servant.

82. Intimation to Accounts Officer regarding any event having bearing on pension.—If after the pension papers have been forwarded to the Accounts Officer within the period specified in sub-rule (4) of rule 81, any event occurs which has a bearing on the amount of pension admissible, the fact shall be promptly reported to the Accounts Officer by the Head of Office.

83. Intimation of the particulars of railway dues to the Accounts Officer.—(1) The Head of Office after ascertaining the railway dues as in rule 15, shall furnish the particulars thereof to the Accounts Officer at least two months before the date of retirement of a railway servant so that the dues are recovered out of the gratuity before its payment is authorised.

(2) If, after the particulars of railway dues have been intimated to the Accounts Officer under sub-rule (1), any additional railway dues come to the notice of the Head of Office, such dues shall be promptly reported to the Accounts Officer.

84. Payment of provisional pension and gratuity through money order or bank draft.—If the provisional pension or gratuity or both, sanctioned under sub-rule (4) of rule 91, is desired to be paid by the pensioner through money order or bank draft, the same shall be remitted to him through money order or bank draft at his cost:

Provided that in the case of any pensioner who has been authorised payment of provisional pension not exceeding two hundred and fifty rupees per mensem (inclusive of the amount of relief on pension) that amount shall, at the request of the pensioner, be remitted to him by money order at Railways expense.

85. Authorisation of pension and gratuity by the Accounts Officer.—(1) (a) On receipt of pension papers referred to in rule 81, the Accounts Officer shall apply the requisite checks, record the account encasement in Part II of Form 7 and assess the amount of pension and gratuity and issue the pension payment order not later than one month in advance of the date of the retirement of the railway servant if the pension is payable in his circle of accounting unit.

(b) If the pension is payable in another circle of accounting unit, the Accounts Officer shall send the pension payment order along with a copy of Form 7 and the accounts encasement to the Accounts Officer of that for arranging payment.

(2) The amount of gratuity as determined by the Accounts Officer under clause (a) of sub-rule (1) shall be intimated to the Head of Office with the remarks that the amount of gratuity may be drawn for disbursement to the retired railway servant after adjusting the Government dues, if any, referred to in rule 15.

(3) The amount of gratuity withheld under sub-rule (5) of rule 16 shall be adjusted by the Head of Office against the outstanding licence fee intimated by the Directorate of Estates and the balance, if any, refunded to the retired railway servant.

86. Railway servants on deputation.—(1) In the case of a railway servant who retires while on deputation to a Central Government Department, action to authorise pension and gratuity in accordance with the provisions of this Chapter shall be taken by the Head of Office of the borrowing Department.

(2) In the case of a railway servant who retires from service, while on deputation to a State Government or while on foreign service, action to authorise pension and gratuity in accordance with the provisions of this chapter shall be taken by the Head of Office of the cadre authority which sanctioned deputation to the State Government or to foreign service.

(3) In the case of Central Government employees belonging to various Ministries or Departments who happen to be on deputation to Railways at the time of their retirement, their pension cases shall be handled by the parent Ministry or Department from where they proceeded on deputation.

87. Interest on delayed payment of gratuity :—

(1) If the payment of gratuity has been authorised after three months from the date when its payment became due on superannuation and it is clearly established that the delay in payment was attributable to administrative lapse, interest at such rate as may be specified from time to time by the Central Government in this behalf on the amount of gratuity in respect of the period beyond three months shall be paid :

Provided that the delay in the payment was not caused on account of failure on the part of the railway servant to comply with the procedure laid down in this Chapter.

(2) Every case of delayed payment of gratuity shall be considered by the General Manager or Administrative Head of the Railway Unit, as the case may be, and where the said General Manager or Administrative Head is satisfied that the delay in the payment of gratuity was caused on account of administrative lapse, he shall order for arranging the payment of interest. The powers to pass order for payment of interest on delayed payment of death-cum-retirement gratuity shall rest with General Manager or Administrative Head of the Railway Unit and shall not be delegated to any lower authority.

(3) In all cases where the payment of interest has been ordered, the railway shall fix the responsibility and take disciplinary action against the railway servant or servants concerned who are found responsible for the delay in the payment of gratuity.

(4) If as a result of Government's decision taken subsequent to the retirement of a railway servant, the

amount of gratuity already paid on his retirement is enhanced on account of —

- (a) grant of emoluments higher than the emoluments on which gratuity already paid was determined, or
- (b) liberalisation in the provisions of these rules from a date prior to the date of retirement of the railway servant concerned, no interest on the arrears of gratuity shall be paid.

(5) Gratuity becomes due immediately on retirement and in case of a railway servant dying in service, action for finalising his pension and death-cum-retirement gratuity shall be taken in accordance with the provisions of Chapter IX.

88. Date of retirement to be notified.—When a railway servant retires from service in the case of a gazetted railway servant, a notification in the Official Gazette, and in the case of a non-gazetted railway servant, an office order, shall be issued specifying the date of retirement within a week of such date and a copy of every such notification or office order, as the case may be, shall be forwarded immediately to the Accounts Officer.

Provided that where a notification in the Official Gazette or an office order, as the case may be, regarding the grant of leave preparatory to retirement to a railway servant is issued, a further notification or office order that the railway servant has actually retired on the expiry of such leave shall not be necessary unless the leave is curtailed and the retirement is for any reason anti-dated or postponed.

CHAPTER VIII

Authority competent to sanction amounts of pension and gratuity.

89. Authority competent to sanction pensionary benefits.—(1) The pensionary benefits and commutation of pension shall be sanctioned and recoveries therefrom ordered by the concerned authority, specified below, namely :—

- (a) the General Manager in the case of a railway servant who is employed under the administrative control of a General Manager;
- (b) the Head of the Department or Office or Project, in the case of a railway servant who is employed in a Department or Office of Project directly under the control of the Railway Board;
- (c) the Secretary, Railway Board in the case of a railway servant not above the rank of a Section Officer who is employed in the Office of the Railway Board;
- (d) the Railway Board in the case of a Head of Department or Office or Project directly under the control of the Railway Board, and a General Manager and an Officer above the rank of a Section Officer who is employed in the Railway Board.

(2) The power to sanction or pass order by the officers referred in to clauses (a) and (b) of sub-

rule (1) may be delegated to the Heads of Departments or Divisional Railway Managers, as the case may be, or in the case of non-gazetted railway servant to a Divisional Officer and such power of the Secretary, Railway Board referred to in clause (c) of sub-rule (1) may be exercised by the Joint Secretary in the Ministry of Railways in the case of Officers not above the rank of Section Officers, and by a Deputy Secretary to whom powers may be delegated in this behalf by the Railway Board in the case of non-gazetted railway servant of the Railway Board's Office. In the case of non-gazetted staff employed in the Research, Designs and Standards Organisation, the powers of the Director General, Research, Designs and Standard Organisation may be delegated to the Deputy Director General, Research, Designs and Standard Organisation.

90. Revision of pension after sanction.—(1) Subject to the provisions of rules 8 and 9 pension once sanctioned after final assessment shall not be revised to the disadvantage of the railway servant unless such revision becomes necessary on account of detection of a clerical error subsequently :

Provided that no revision of pension to the disadvantage of the pensioner shall be ordered by the Head of Office without the concurrence of the Railway Board if the clerical error is detected after a period of two years from the date of sanction of pension.

(2) For the purpose of sub-rules (1), the retired railway servant concerned shall be served with a notice by the Head of Office requiring him to refund the excess payment of pension within a period of two months from the date of receipt of notice by him.

(3) In case the railway servant fails to comply with the notice, the Head of Office shall, by order in writing, direct that such excess payment shall be adjusted in instalments by short payments of pension in future, in one or more instalments, as the Head of Office may direct.

91. Provisional Pension.—(1) The various stages of action laid down in rule 79 shall be strictly followed by the Head of Office. There may be an isolated case where, inspite of following the procedure laid in rule 79, it may not be possible for the Head of Office to forward the pension papers referred to in rule 81 to the Accounts Officer within the period specified in sub-rule (4) of that rule; or where the pension papers have been forwarded to the Accounts Officer within the specified period but the Accounts Officer may have returned the pension papers to the Head Office for eliciting further information before issue of pension payment order and order for the payment of gratuity. If the Head of Office in such a case is of the opinion that the railway servant is likely to retire before his pension or gratuity or both, can be finally assessed and settled in accordance with the provisions of these rules, he shall without delay, take steps to determine the qualifying years of service and the emoluments qualifying for pension after a most careful summary investigations that may be made. For this purpose, he shall —

- (i) rely upon such information as may be available in the official records; and

- (ii) ask the retiring railway servant to file a written statement on plain paper stating the total length of qualifying service including details of emoluments drawn during the last ten months of service but excluding the breaks and other non-qualifying periods of service.
- (2) The railway servant while furnishing the statement, as in clause (ii) of sub-rule (1) shall, at the foot of the statement, make and subscribe to a declaration as to the truth of the statement.
- (3) The Head of Office shall, thereafter determine the qualifying years of service and the emoluments qualifying for pension in accordance with the information available in the official records and the information obtained from the retiring railway servant under sub-rule (1) and he shall, then, determine the amount of provisional pension and the amount of the provisional death-cum-retirement gratuity.
- (4) After the amount of pension and gratuity have been determined under sub-clause (3), the Head of Office shall take further action as follows—
- (a) He shall issue a sanction letter addressed to the railway servant endorsing a copy thereof to the Accounts Officer authorising—
- hundred per cent of pension as determined under sub-rule (3) as provisional pension for a period not exceeding six months to be reckoned from the date of retirement of the railway servant; and
 - hundred per cent of the gratuity as provisional gratuity as determined under sub-rule (3) withholding that part of gratuity as provided in these rules.
- (b) He shall indicate in the sanction letter the amount recoverable from the gratuity under sub-rule (1) of rule 83. After issue of the sanction letter he shall draw :—
- the amount of provisional pension; and
 - the amount of provisional gratuity after deducting therefrom the amount mentioned in sub-clause (ii) of clause (a).
- (5) The amount of provisional pension and gratuity payable under sub-rule (4) shall, if necessary, be revised on the completion of the detailed scrutiny of the records.
- (6) (a) The payment of provisional pension shall not continue beyond the period of six months from the date of retirement of the railway servant. If the amount of final pension and the amount of final gratuity had been determined by the Head of Office in consultation with the Accounts Officer before the expiry of the said period of six months, the Accounts Officer shall —
- issue the pension payment order; and
 - direct the Head of Office to draw and disburse the difference between the final amount of gratuity and the amount of provisional gratuity paid under sub-

clause (ii) of clause (b) of sub-rule (4) after adjusting the Government dues, if any, which may have come to notice after the payment of provisional gratuity.

- (b) If the amount of provisional pension disbursed to a railway servant under sub-rule (4) is, on its final assessment, found to be in excess of the final pension assessed by the Accounts Officer, it shall be open to the Accounts Officer to adjust the excess amount of pension, in instalments, by making short payments of the pension payable in future.
- (c) (i) If the amount of provisional gratuity disbursed by the Head of Office under sub-rule (4) is larger than the amount finally assessed, the retired railway servant shall not be required to refund the excess amount actually disbursed to him.
- (ii) The Head of Office shall ensure that chances of disbursing the amount of gratuity in excess of the amount finally assessed are minimised and the officials responsible for the excess payment shall be accountable for the overpayment.

(7) If the final amount of pension and gratuity have not been determined by the Head of Office in consultation with the Accounts Officer within a period of six months referred to in clause (a) of sub-rule (6), the Accounts Officer shall treat the provisional pension and gratuity as final and issue pension payment order immediately on the expiry of the period of six months.

(8) As soon as the pension payment order has been issued by the Accounts Officer under clause (a) of the sub-rule (6) or sub-rule (7), the Head of Office shall take steps to refund the amount of withheld gratuity under sub-clause (ii) of clause (a) of sub-rule (4) to the retired railway servant after adjusting railway dues or Government dues which may have come to notice after the payment of provisional gratuity under sub-clause (ii) of clause (b) sub-rule (4). If the railway servant was an allottee of Government accommodation or railway accommodation, the withheld amount should be refunded on receipt of 'No Demand Certificate' from the Directorate of Estates or on vacation of railway accommodation, as the case may be.

CHAPTER IX

Family pension and death-cum-retirement gratuity in respect of railway servant dying while in service.

92. Obtaining of claims for family pension and death-cum-retirement gratuity.—(1) Where the Head of Office has received an intimation about the death of a railway servant while in service, he shall ascertain whether any death-cum-retirement-gratuity or family pension or both is or are payable in respect of such deceased railway servant.

(2) (a) Where the family of the deceased railway servant is eligible for the death-cum-retirement gra-

tuity under rule 70, the Head of Office shall ascertain :—

- (i) if the deceased railway servant had nominated any person or persons to receive the gratuity; and
 - (ii) if the deceased railway servant had not made any nomination or the nomination made does not subsist, the person or persons to whom the gratuity may be payable.
- (b) The Head of Office shall, then, address the person concerned in Form 11 or Form 12, as may be appropriate for making a claim in Form 13.

(3) Where the family of the deceased railway servant eligible under rule 75 for the Family Pension, 1964 :—

- (a) the Head of Office shall address the widow or widower in Form 14 for making a claim in Form 10, and
- (b) where the deceased railway servant is survived only by a child or children, the guardian of such child or children, may submit a claim in Form 10 to the Head of Office;

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of a child who had attained the age of eighteen years and such child may himself or herself submit a claim in the said Form.

93. Completion of Form 16.—(1) (a) The Head of Office while taking section to obtain claim or claims from the family in accordance with the provisions of rule 92 shall simultaneously undertake the completion of Form 16. The work shall be completed within one month of the date on which intimation regarding the death of the railway servant has been received.

(b) The Head of Office shall go through the service book of the deceased railway servant and satisfy himself as to whether certificates of verification of service for the entire service are recorded therein.

(c) If there are any periods of unverified service, the Head of Office shall accept the unverified portion of service as verified on the basis of the available entries in the service book. For this purpose the Head of Office may rely on any other relevant material to which he may have ready access. While accepting the unverified portion of service, the Head of Office shall ensure that service was continuous and was not forfeited on account of dismissal, removal or resignation from service, or for the participation in strike.

(2) (a) For the purpose of determination of emoluments for family pension and death-cum-retirement gratuity, the Head of Office shall confine the verification of the correctness of emolument, for a maximum period of one year preceding the date of death of the railway servant.

(b) In case the railway servant was on extraordinary leave on the date of death, the correctness of the emoluments for a maximum period of one year

which he drew preceding the date of the commencement of the extraordinary leave shall be verified.

(3) The process of determination of qualifying service and qualifying emoluments shall be completed within one month of the receipt of intimation regarding the date of death of the railway servant and the amount of family pension and death-cum-retirement gratuity shall also be calculated accordingly.

94. Determination of the amount of family pension and gratuity where service records are incomplete.—According to the instructions in vogue on the date of commencement of these rules, there should not be any case where service book has not been maintained properly. If, in any particular case the service book has not been maintained properly despite the Government's orders on the subject, and it is not possible for the Head of Office to accept the unverified portion of service as verified on the basis of entries in the service book, the Head of Office shall not proceed with the verification of the entire spell of service and the verification of service in such a case shall be confined to the following spells of service :—

- (i) If the deceased railway servant on the date of death had rendered more than one year of service but less than seven years of service, the service and emoluments for the last year of service shall be verified and accepted by the Head of Office and the amount of family pension 1964 determined under sub-rule (2) and sub-rule (3) of rule 75.
- (ii) If the deceased railway servant on the date of his death had rendered more than seven years of service, the service for the last seven years and emoluments for service rendered in the last year shall be verified and accepted by the Head of Office and the amount of Family Pension 1964 and the period for which it is payable shall be determined in accordance with the provisions of sub-rule (4) of rule 75.
- (iii) If the deceased railway servant on the date of death had rendered more than seven years of service and the service of last seven years is not capable of being verified and accepted by the Head of Office but the service rendered during the last year is capable of being verified and accepted, the Head of Office, pending the verification of service for seven years, shall calculate the amount of family pension in accordance with the provisions of sub-rule (2) and sub-rule (3) of rule 75.
- (iv) The service for the last seven years shall be verified and accepted within the next two months and the amount of family pension at the enhanced rate and the period for which it is payable shall be determined in accordance with the provisions of sub-rule (4) of rule 75.
- (v) The determination of the amount of family pension in accordance with the provisions

of sub-clauses (i), (ii) and (iii) shall be done within one month of the receipt of intimation of the date of death of the railway servant.

(b) For the purpose of death-cum-retirement gratuity :—

(i) If the deceased railway servant had on the date of his death rendered more than five years of qualifying service but less than twenty four years of qualifying service, and the spell of last five years service has been verified and accepted by the Head of Office under clause (a), the amount of death-cum-retirement gratuity shall be equal to twelve times of his emoluments as indicated in clause (b) of sub-rule (1) of rule 70, where the verified and accepted service is less than five years of qualifying service, the amount of death-cum-retirement gratuity shall be the amount as indicated in item (i) or item (ii) in the Table below clause (b) of sub-rule (1) of rule 70 as the case may be.

(ii) If the deceased railway servant had rendered more than twenty four years of service and the entire service is not capable of being verified and accepted but the service for the last five years has been verified and accepted, under sub-clause (1), the family of the deceased railway servant shall be allowed, on provisional basis, the death-cum-retirement gratuity equal to twelve times of the emoluments. Final amount of gratuity shall be determined by the Head of Office on the acceptance and verification of the entire spell of service which shall be done by the Head of Office within a period of six months from the date on which the authority for the payment of provisional gratuity was issued. The balance, if any, becoming payable as a result of determination of the final amount of death-cum-retirement gratuity shall then be authorised to the beneficiaries.

95. Forwarding of papers to the Accounts Officer.—(1) On receipt of claim or claims, the Head of Office shall complete items 20, 21, 22, 23 and 24 of Form 16 and send the said Form in original to the Accounts Officer with a covering letter in Form 17 along with the railway servant's service book duly completed up-to-date and any other documents relied upon for the verification of the service claimed. This shall be done not later than one month of the receipt of claim by the Head of Office.

(2) The Head of Office shall retain one copy of the aforesaid Form 16 for his office record

(3) If the payment is desired to another circle of accounting, Form 16 shall be sent in duplicate to the Accounts Officer.

(4) The Head of Office shall draw the attention of the Accounts Officer to the details of Government or

railway dues outstanding against the deceased railway servant, namely:—

(a) Government or railway dues as ascertained and assessed in terms of rule 15 and recoverable out of the gratuity before payment is authorised.

(b) Amount of gratuity to be held over partly for adjustment of railway dues which have not been assessed so far and partly as a margin for adjustment in the light of the final determination of the gratuity.

(5)(a) If Form 16 has been completed and the claim or claims in the respective Forms have not been received from the beneficiary or beneficiaries, the Head of Office shall forward Form 16 and the documents referred to in sub-rule (1) to the Accounts Officer leaving unfilled items 20, 21, 22, 23 and 24 of Part I of the said Form.

(b) As soon as the claim or claims are received by the Head of Office, they shall immediately be forwarded to the Accounts Officer with the request that items 20, 21, 22, 23 and 24 of Part I of Form 16 may be filled by the Accounts Officer.

96. Sanction, drawal and disbursement of provisional Family Pension and gratuity.—(1) After the documents referred to in rule 95 have been sent to the Accounts Officer concerned, the Head of Office shall draw provisional family pension not exceeding the maximum family pension and hundred per cent of the gratuity as determined in accordance with the provisions of this Chapter and, for this purpose the Head of Office, shall adopt the following procedure, namely :—

(a) he shall issue a sanction letter in favour of claimant or claimants endorsing a copy thereof to the Accounts Officer concerned indicating the amount of provisional family pension and hundred per cent of the gratuity as determined ;

(b) he shall indicate in the sanction letter the amount recoverable out of the gratuity under sub-rule (4) of rule 95 ;

(c) after issue of the sanction letter he shall draw:—

(i) the amount of the provisional family pension ; and

(ii) the amount of hundred per cent of the gratuity after deducting there from the dues mentioned in clause (b), in the same manner as pay and allowances of the establishment are drawn by him.

(2) The Head of Office shall disburse the provisional family pension (including arrears, if any) and the gratuity immediately after the same have been drawn under sub-rule (1).

(3) The payment of provisional family pension shall continue for a period of six months from the

date of following the date of death of the railway servant unless the period is extended by the Accounts Officer under the proviso to sub-rule (1) of rule 97.

(4) The Head of Office shall inform the Accounts Officer :—

(a) as soon as the gratuity has been paid to the claimant or claimants ; and

(b) as soon as the provisional family pension has been paid for a period of six months or for the period extended under provision to sub-rule (1) of rule 97, as the case may be.

(5) If the claimant or any of the claimants desire the payment of provisional family pension or of gratuity or of both through money order or bank draft, the same shall be remitted to him or her through money order or bank draft at his or her own cost :

Provided that in the case of any claimant who is sanctioned a provisional family pension not exceeding two hundred and fifty rupees (inclusive of relief on family pension) per mensem, the amount of pension shall, at the request of the claimant be remitted to him or her by money order or bank draft at Government expense.

97. Authorisation of final pension and balance of the gratuity by the Accounts Officer.—(1) On receipt of the documents referred to in sub-rule (1) of rule 95, the Accounts Officer shall, within a period of three months from the date of receipt of the documents apply the requisite checks and complete Section I of Part II of Form 16 and assess the amount of family pension and gratuity ;

Provided that if the Accounts Officer is, for any reason, unable to assess the amount within the period aforesaid, he shall communicate the fact to the Head of Office to continue to disburse the provisional family pension to the claimant for such period as may be specified by the Accounts Officer.

(2) (a) If the family pension is payable in his circle of accounting unit, the Accounts Officer shall prepare the pension payment order.

(b) The payment of family pension shall be effective from the date following the date of which the payment of provisional family pension ceased.

(c) Arrears of family pension, if any, in respect of the period for which provisional family pension was drawn and disbursed by the Head of Office shall also be authorised by the Accounts Officer.

(3) (a) The Accounts Officer shall determine the amount of the balance of the gratuity after adjusting the amount, if any, outstanding against the deceased railway servant.

(b) The Accounts Officer shall intimate to the Head of Office, the amount of the balance of gratuity determined under clause (a) with the remarks that the amount of the balance of the gratuity may be drawn and disbursed by the Head of Office to the

person or persons to whom the provisional gratuity has been paid.

(c) The amount of gratuity adjusted under sub-clause (a) for non-vacation of Railway accommodation shall be adjusted by the Head of Office against the outstanding licence fee and the balance, if any, refunded to the person or persons to whom gratuity has been paid.

(4) The fact of the issue of the pension payment order shall be promptly reported to the Head of Office by the Accounts Officer and the documents which are no longer required shall also be returned to him.

(5) If the final family pension including the arrears of provisional family pension is payable in another circle of accounting unit, the Accounts Officer shall send the pension payment order together with a copy of Form 16 duly completed to the Accounts Officer of that unit for arranging payment ;

Provided that the adjustment of provisional family pension drawn and disbursed by the Head of Office, shall be made by the Accounts Officer in whose circle of accounting unit the provisional family pension was paid.

(6) If the amount of provisional family pension as disbursed by the Head of Office is found to be in excess of the final family pension assessed by the Accounts Officer, it shall be open to the Accounts Officer to adjust the excess amount in instalments by the short payments of family pension payable in future.

(7) (a) If the amount of gratuity disbursed by the Head of Office proves to be larger than the amount finally assessed by the Accounts Officer the beneficiary shall not be required to refund the excess.

(b) The Head of Office shall ensure that chances of disbursing the amount of gratuity in excess of the amount actually admissible are minimised and the official or officials responsible for the excess payment shall be accountable for the over-payment.

98. Adjustment of Government dues or railway dues.—(1) Dues pertaining to Government accommodation,

(i) if on the date of death the railway servant was allottee of Government accommodation, the Head of Office on receipt of intimation regarding the death of such railway servant shall within seven days of the receipt of such intimation, write to the Directorate of Estates for the issue of 'No demand Certificate' so that authorisation of family pension and death-cum-retirement gratuity is not delayed. While addressing the Directorate of Estates for the issue of 'No demand Certificate', the Head of Office shall also supply the following information in duplicate (one copy marked to the Rent Wing and the second to the Allotment Wing)—

(a) name of the deceased railway servant with designation;

(b) particulars of the accommodation (quarter No., type and locality);

(c) date of death of railway servant;

(d) whether the railway servant was on leave at the time of his death and if so, the period and nature of leave;

(e) whether the railway servant was enjoying rent free accommodation;

(f) the period upto which licence fee had been recovered from the pay and allowances of the deceased railway servant and the monthly rate of recovery and particulars of the pay bill under which last recovery was made,

(g) if the licence fee had not been recovered upto the date of death and the family intends to retain Government accommodation for the permissible period of four months from the date of death of the railway servant, details of the,—

(1) period for which licence fee still remains to be recovered;

(2) the amount of licence fee in respect of the period at (1) to be determined on the basis of the standard rent bill;

(3) the amount of licence fee for the retention of Government accommodation by the family of the deceased railway servant for the concessional period of four months beyond the date of death of the railway servant to be determined on the basis of standard bill;

(4) the amount of licence fee sanctioned at (2) and (3) proposed to be recovered out of death-cum-retirement gratuity;

(5) details of any previous reference from the Directorate of Estates having bearing on the recovery of licence fee outstanding against the allottee and action taken therein.

(ii) The Head of Office shall recover from the death-cum-retirement gratuity the amount of licence fee as intimated to the Directorate of Estates under clause (i).

(iii) The recovery of licence fee for the occupation of Government accommodation, beyond the permissible period of four months shall be the responsibility of the Directorate of Estates.

(iv) The Directorate of Estates shall scrutinise their records with a view to determine if licence fee other than the licence fee referred to in clause (i) was outstanding against the deceased railway servant. If any recovery is found, the amount and the period or periods to which such recovery, or recoveries relate shall be communicated to the Head of Office within a period of

three months of the receipt of intimation regarding the death of the railway servant under clause (i).

(v) Pending receipt of information under clause (iv), the Head of Office shall withhold ten per cent of the death-cum-retirement gratuity or one thousand rupees, whichever is less.

(vi) If no intimation is received by the Head of Office within the period specified under clause (iv) regarding recovery of licence fee, it shall be presumed that nothing was recoverable from the deceased railway servant and the amount of gratuity withheld shall be paid to the person or persons to whom the amount of death-gratuity was paid.

(vii) If the Head of Office has received intimation from the Directorate of Estates under clause (vi) regarding licence fee outstanding against the deceased railway servant, the Head of Office shall verify from the acquittance rolls if the outstanding amount of licence fee was recovered from the pay and allowances of the deceased railway servant. If as a result of verification, it is found that the amount of licence fee shown as outstanding by the Directorate of Estates, had already been recovered, the Head of Office shall draw the attention of the Directorate of Estates to the pay bills under which the necessary recovery of the licence fee was made and subject to the provisions of sub-rule (2) take steps to pay the amount of the gratuity withheld under clause (v) to the person or persons to whom the death gratuity was paid.

(viii) If the outstanding amount of licence fee was not recovered from the pay and allowances of the deceased railway servant, the outstanding amount shall be adjusted against the amount of the gratuity withheld under clause (v) and the balance, if any, repaid to the person to whom the amount of death-cum-retirement gratuity was paid.

(2) The Head of Office shall, within one month of the receipt of intimation regarding death of a railway servant, take steps to ascertain in any dues as referred to in rule 15 and sub-rule (6) of rule (16) were recoverable from the deceased railway servant. Such ascertainable dues shall be recovered from the amount of death-cum-retirement gratuity becoming payable to the family of the deceased railway servant.

99. Payment of family pension and death-cum-retirement gratuity when a railway servant dies while on deputation.—(1) In the case of a railway servant who dies while on deputation to another Central Government Department, action to authorize family pension and death-cum-retirement gratuity in accordance with the provisions of this Chapter shall be taken by the Head of Office of the borrowing Department.

(2) In the case of a railway servant who dies while on deputation to a State Government or while

on foreign service, action to authorise the payments of family pension and death-cum-retirement gratuity in accordance with the provisions of this Chapter shall be taken by the concerned Head of Office from where the railway servant proceeded on deputation to the State Government or to the foreign service.

(3) In the case of a Central Government employee belonging to a Ministry or Department dies while on deputation to the railway, action to authorise the payments of family pension and death-cum-retirement gratuity in accordance with the provisions of this Chapter shall be taken by the parent Ministry or Department from where he has proceeded on deputation to the railway.

CHAPTER X

Sanction of family pension and residuary gratuity in respect of deceased pensioners

100. Sanction of family pension and residuary gratuity on the death of a pensioner.—(1) Where the Head of office has received intimation regarding the death of a retired railway servant who was in receipt of pension, he shall ascertain whether any family pension or residuary gratuity is or both are payable in respect of the deceased pensioner;

Provided that the Head of Office may, when he considers it necessary so to do, consult the Account's Officer.

(2) (a) (i) If the deceased pensioner is survived by a widow or widower who is eligible for the grant of Family Pension 1964 under rule 75, the amount of Family Pension 1964 as indicated in the Pension Payment Order shall become payable to the widow or widower, as the case may be, from the day following the date of death of the pensioner.

(ii) On receipt of an application from the widow or widower, the pension disbursing authority from whom the deceased pensioner was drawing his or her pension shall authorise the payment of Family Pension 1964 to the widow or widower, as the case may be.

(b) (i) Where the deceased pensioner is survived by a child or children, the guardian of the child or children may submit a claim in Form 10 to the Head of Office for the payment of Family Pension 1964.

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the son of unmarried daughter if he or she has attained the age of eighteen years and such a son or daughter may himself or herself submit a claim in the said Form.

(ii) On receipt of a claim from the guardian, the Head of Office shall sanction the Family Pension 1964 in Form 18.

(c) (i) Where a widow or widower in receipt of Family Pension 1964 remarries and

has, at the time of re-marriage, child or children from the former spouse who is or are eligible for Family Pension 1964; the remarried individual shall be eligible to draw the Family Pension 1964 on behalf of such child or children if such individual continues to be the guardian of such child or children.

(ii) For the purpose of sub-clause (i), the remarried individual shall apply to the Head of Office on plain paper furnishing the following particulars, namely :—

(1) a declaration that the applicant continues to be the guardian of such child or children;

(2) the date of remarriage;

(3) the name and date of birth of the child or children from the former spouse;

(4) the pension disbursing authority from where payment of Family Pension 1964 on behalf of such child or children is desired;

(5) full postal address of the applicant.

(iii) If the remarried individual has, for any reason, ceased to be the guardian of such child or children, the Family Pension 1964 shall become payable to the person entitled to act as guardian of such child or children under the law for the time being in force and such person may submit a claim in Form 10 to the Head of Office for the payment of Family Pension 1964 :

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the son or unmarried daughter if he or she has attained the age of eighteen years and such son or daughter may himself or herself submit a claim in the said Form.

(iv) On receipt of the claim referred to in sub-clause (iii) the Head of Office shall sanction Family Pension 1964 in Form 19.

(d) (i) Where a widow or widower in receipt of Family Pension 1964 dies and leaves behind child or children who is or are eligible for Family Pension 1964, the guardian may submit a claim in Form 10 to the Head of Office for the payment of Family Pension 1964 :

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the son or unmarried daughter if he or she has attained the age of eighteen years and such a son or daughter may himself or herself submit claim in the said Form.

(ii) On receipt of a claim under sub-clause (i) the Head of Office shall sanction Family Pension 1964 in Form 19.

(3) Where on death of a retired railway servant a residuary gratuity becomes payable to the family of the deceased under sub-rule (2) of rule 70, the Head of Office shall sanction its payment on receipt of a claim or claims in Form 20 from the person or persons eligible to receive the residuary gratuity.

101. Authorisation of payment by Accounts Officer.—On receipt of the sanction under rule 100 regarding the payment of family pension or of residuary gratuity or of both, the Accounts Officer shall authorise the payment of the same.

CHAPTER XI

Payment of Pension

102. Date from which pension becomes payable.—(1) Except in the case of a railway servant to whom the provisions of rule 53 apply and subject to the provisions of rules 9 and 10 a pension, other than family pension, shall become payable from the date on which a railway servant ceases to be borne on the establishment.

(2) Pension, including family pension shall be payable for the day on which its recipient dies.

103. Currency in which pension is payable.—All pensions including gratuities admissible under these rules shall be payable in rupees in India only.

104. Manner of payment of gratuity and pension.—(1) Except as otherwise provided in these rules, a gratuity shall be paid in lump sum.

(2) A pension fixed at monthly rates shall be payable monthly on or after the first day of the following month.

105. Application of Treasury Rules.—Save as otherwise provided in these rules, the Treasury Rules of the Central Government shall apply in regard to the procedure of payment of —

- (i) pension;
- (ii) pension undrawn for more than an year; and
- (iii) pension in respect of a deceased pensioner.

CHAPTER XII

Miscellaneous

106. Interpretation.—Where any doubt arises as to the interpretation of these rules, it shall be referred to the Government in the Ministry of Railways (Railway Board), for decision. The Ministry of Railways (Railway Board) shall take decision after consulting the Department of Pension and Pensioners' Welfare of the Government of India.

107. Power to relax.—Where the pension sanctioning authority is satisfied that the operation of any of these rules causes undue hardship in any particular case, that authority, may for reasons to be recorded in writing, approach the Ministry of Railways (Railway Board) for dispensing with or relaxing

the requirements of that rule to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner. The Ministry of Railways (Railway Board) shall examine each such case and arrange to communicate the sanction of the President to the proposed dispensation or relaxation as it may consider necessary keeping in view the merits of each case and keeping in view of an other statutory provisions :

Provided that no such order shall be made without concurrence of the Department of Pension and Pensioners' Welfare, in the Ministry of Personnel, Public Grievances and Pensions, Government of India.

108. Repeal and saving.—(1) On the commencement of these rules, every rule, (including those contained in volume II of the Indian Railway Establishment Code, Fifth Reprint), regulation or order including circulars (hereinafter referred to in this rule as old rules) in force immediately before such commencement shall, in so far as it provides for any of the matters contained in these rules, cease to operate,

(2) Notwithstanding such cesser of operation —

- (a) (i) every nomination for the payment of death-cum-retirement gratuity, or of Family Pension 1950;
- (ii) every form regarding the details of family of a railway servant for the purpose of Family Pension 1964; and
- (b) any nomination for the payment of death-cum-retirement gratuity or of (Family Pension 1950), any Form regarding the details of family of a railway servant for the purpose of Family Pension 1964 as required to be made for given by a railway servant under the old rule but not made or given before the commencement of these rules shall be made or given after such commencement in accordance with the provisions of these rules;
- (c) any case which pertains to the authorisation of pension to a railway servant who had retired before the commencement of these rules and is pending before such commencement shall be disposed of in accordance with the provisions of the old rules as if these rules had not been made;
- (d) any case which pertains to the authorisation of death-cum-gratuity and family pension to the family of a deceased railway servant or of a deceased pensioner and is pending before the commencement of these rules shall be disposed of in accordance with the provisions of the old rules as if these rules had not been made;
- (e) subject to the provisions of clauses (c) and (d) anything done or any action taken under the old rule shall be deemed to have been done or taken under the corresponding provisions of these rules.

FORM 1

(See rule 11)

FORM OF APPLICATION FOR PERMISSION TO RAILWAY OFFICERS TO ACCEPT COMMERCIAL EMPLOYMENT WITHIN A PERIOD OF TWO YEARS AFTER RETIREMENT.

1. Name of the Officer
(in BLOCK letters)
2. Date of retirement
3. Particulars of the Ministry/Department/Offices in
which the Officer served during the last five years
preceding retirement (with duration)

Name of Ministry/Department /Office	Post held	Duration	
		Form	To
4. Post held at the time of retirement and period for which held		
5. Pay scale of the post and the pay drawn by the Officer at the time of retirement		
6. Pensionary benefits		
Pension expected/sanctioned (Commutation) if any, should be mentioned.		Gratuity, if any	

7. Details regarding commercial employment proposed
to be taken up :—

- (a) Name of the firm/company/Co-operative
society, etc.
- (b) Products being manufactured by the firm/
type of business carried out by the firm, etc. ;
- (c) Whether the officer had during his official
career, any dealing with the firm, etc.
- (d) Duration and nature of the official dealings
with the firm, etc.
- (e) Name of the job/post offered
- (f) Whether post was advertised, if not, how was
offer made (attached newspaper cutting of the
advertisement, and a copy of the offer of the
appointment, if any)
- (g) Description of the duties of the job/post
- (h) Remuneration offered for post/job

(i) If proposing to set up a practice, indicate : -

(a) Professional qualification in the field of practice

(b) nature of proposed practice

Any information which the applicant desires to furnish in support of his request

9. Declaration :

I hereby declare that

- (i) the employment which I propose to take up will not bring me into conflict with Government;
- (ii) my commercial duties will not be such that my previous official position or knowledge or experience under Government could be used to give my proposed employer an unfair advantage;
- (iii) my commercial duties will not involve liaison or contract with the Government departments.

Place

Dated, the

Signature of the applicant

Address :

FORM 2

(See rule 15)

SURETY BOND

In consideration of the President of India (hereinafter called the "Government" which expression shall include his Successors and assignees) having agreed to settle the final accounts of Shri/Shrimati..... (thereinafter referred to as the 'Obliger') without production of a 'No Demand Certificate' from the Engineering Electrical Department concerned, I hereby declare myself 'Surety' (which expression shall include my heirs, executors, Administrators, legal representatives and assignees) for the obliger and do hereby guarantee for due payment of rent, electric current and other dues in respect of the residence now allotted to him/her by Government and also for any residence that may be allotted or that was allotted to the said obliger from time to time by Government against all loss and damage until delivery of vacant possession of the above-said residence is made over to the Government.

I hereby also guarantee that the said obliger shall pay all amounts that may be due by him/her to Government by way of overpayment of pay, allowances, leave salary, advances for conveyances, house building or other purpose or for any amounts which may be paid or payable by Government under or in respect of any guarantee given by Government on behalf of the said obliger, or any other dues whatsoever of the Government. It is hereby also declared by me that if the said obliger shall die or become insolvent, the whole of the aforesaid amount shall then remain unpaid and the interest, if any, as per the Government Rule applicable thereon, shall immediately become due and payable to the Government and recoverable from me by virtue of this Bond. Now the condition of the above written Bond is that if the said obliger duly makes all payments or caused to be paid to the Government each of the aforesaid amounts owing to the Government to the satisfaction of the Government then this Bond shall be void otherwise the same shall be and remain in full force, effect and virtue.

The obligation undertaken by me shall not be discharged or in any way affected by any extension of time or any other indulgence granted by the Government to the said obliger and the Government shall have the fullest liberty without affecting the guarantee to postpone for any time from time to time any of the powers exercised by it against the said obliger and I will not be released from the liability under this guarantee by any exercise of the Government of the liberty with reference to the matters aforesaid or by reason of any other forbearance, act or omission on the part of the Government or any indulgence by the Government to the said obliger or by any other matter or things whatsoever which under the law relating to sureties shall, but for this provision have the effect of so releasing me from my such aforesaid liability and for the purpose of enforcement of this present my liability hereunder will be not merely as surety but as of principal debtor.

BUT SO NEVERTHELESS this Bond shall remain in force, till

- (i) the 'No Demand Certificate' is issued by the Engineering/Electrical Department concerned in favour of the said obliger
- (ii) the Head of Office in which the said obliger was last employed has certified that nothing is now due to the Government from the said obliger; and
- (iii) the 'No Demand Certificate' is issued by the Engineering/Electrical Department concerned in favour of the said obliger in respect of water and electricity dues in case Government had given a guarantee for these dues, on behalf of the said obliger.

The stamp duty on this instrument shall be borne by the Government.

Signature of the Surety

Signed and delivered by
the said surety at.....

this..... day of
.....in the

presence of :

1. Signature

Address and occupation of witness

2. Signature

Address and occupation
of witness

Certified that Shri/Shrimati is a
permanent Government servant.

The above bond is accepted.

Signature of the Head of the Department
of the Office in which the surety is
employed.

(Signature and designation)
for and on behalf of the President of
India

FORM 3 (See rule 35)

Certificate of verification of Military Service of No.
Rank

Name.....Unit.....re-enrolled in the.....
.....from

The information required for verification of War/Military service for the purpose of counting towards railway pension is given as under :—

1. Date of birth or the nearest age on enrolment in the Army/Navy/Air-Force, if the former is not known.
2. Date of enrolment in the Army/Navy/Air Force.
3. Date of discharge.
4. Period of reserve service, if any.

5. Whether the Military Service was pensionable under the Military rules, but terminated on or before pension was earned in respect thereof.
6. Whether he was entitled to a service gratuity and if so, how much.
7. Whether the gratuity was drawn and is refundable to the Defence Services Estimates (if the service is allowed to count for railway pension).
8. If the individual is in receipt of a disability pension : -
 - (a) had he earned an ordinary service pension for his qualifying service.
 - OR
 - (b) had he only earned a service gratuity in lieu of which a service element of disability pension has been granted him, if so, what was the amount of service gratuity.
9. Whether he was paid from Indian Revenues throughout.
10. Whether the pensionary contribution has been received and credited to Indian Revenues for the period of his service out of India. From.....To.....
11. Whether the whole period of Military Services covered by any of the classes mentioned in Note 2 to Articles 356(a)/or 357 Civil Services Regulations.
12. Non-qualifying service, if any From.....To
13. Period of satisfactory paid Military service From.....To
14. Whether the Military service was superior or inferior.
15. Length of War service
16. Amount of service gratuity paid for the period of War service indicated in the preceding item
17. Amount of War gratuity paid for the period of War service.
18. Period and nature of leave (other than casual leave) availed of during Military service.

Station

Signature of the Record Officer concerned

Date

Countersigned

Station

Controller of Defence Accounts/P.A.(OR)

FORM 4

[See rule 74 (i)]

NOMINATION FOR DEATH-CUM-RETIREMENT GRATUITY

(When the railway servant has a family and wishes to nominate one member or more than one member thereof)

I hereby nominate the person/persons mentioned below, who is/are member (s) of my family, and confer on them the right to receive, to the extent specified below, any gratuity that may be sanctioned by Government in the event of my death while in service and the right to receive on my death, to the extent specified below any gratuity, which having become admissible to me on retirement, may remain unpaid at my death :—

Original Nominee(s)				Alternate nominee(s)	
Name and Address of nominee/nominees	Relationship with the railway servant	Age	Amount or share of gratuity payable to each	Name, Address and relationship of the person or persons, if any to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the railway servant or the nominee dying after the death of the railway servant but before receiving payment of the gratuity	Amount or share of gratuity payable to each@
1	2	3	4	5	6
1.					
2.					
3.					
4.					
5.					
and so on					

This nomination supersedes the nomination made by me earlier, on, (date) which stands cancelled.

Note : (i) The railway servant shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

(ii) Strike out which is not applicable.

Dated this.....day of.....19.....

Witnesses to signature :

Signature of railway servant

1.

2.

*This column should be filled in so as to cover the whole amount of gratuity.

@The amount/share of gratuity shown in this column should cover the whole amount share payable to the original nominee(s).

(To be filled in by the Head of Office in the case of a non-gazetted railway servant)

Nomination by Signature of Head Office

Designation Date

Office Designation

Proforma for acknowledgement, the receipt of nomination form by the Head of Office/Accounts Officer.

To

.....

.....

.....

The receipt of your nomination dated the/cancellation dated the of the nomination made earlier in respect of Death-cum-retirement gratuity in Form is hereby acknowledged. The same has been duly placed on record.

.....

Place.....

Signature of the Head of Office/Accounts Officer

Dated the

Designation

Note : The railway servant is advised that it would be in the interest of the nominee(s) if copies of the nominations and the related notices and acknowledgement are kept in safe custody so that they may come into possession of the beneficiaries in the event of his death.

FORM 5

[See rule 74 (i)]

NOMINATION FOR RETIREMENT/DEATH GRATUITY

(when the railway servant has no family and wishes to nominate one person or more than one persons)

I, having no family, hereby nominate the person/persons mentioned below and confer on him/them the right to receive, to the extent specified below, any gratuity the payment of which may be authorised by the railway in the event of my death in service and the right to receive on my death to the extent specified below, any gratuity, which having become admissible to me on retirement, may remain unpaid at my death:—

Original nominee(s)				Alternate nominee(s)	
Name and address of nominee/nominees	Relationship with railway servant	Age	Amount or share of gratuity payable to each	Name, address and relationship of the person or persons if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the railway servant or the nominee dying after the death of the railway servant but before receiving payment of the gratuity	Amount or share of gratuity payable to each@
1	2	3	4	5	6
1.					
2.					
3.					
4.					
5.					
and so on					

This nomination supersedes the nomination made by me earlier on (date) which stands cancelled.

Note :— (1) The Railway servant shall draw lines across the blank space below the last entry to prevent to the insertion of any name after he has signed.

(ii) Strike out which is not applicable.

Dated this day of 19.....

Witnesses to Signature :

1.

.....

2.

Signature of railway servant.

*This column should be filled in so as to cover the whole amount of gratuity.

@The amount/share of gratuity shown in this column should cover the whole amount/share payable to the original nominee(s).

(To be filled in by the Head of Office in the case of a non-gazetted railway servant)

Nomination by Signature of

Head of Office

Designation Date

Office Designation

Proforma for acknowledgement, the receipt of the nomination form by the Head of Office/Accounts Officer.

To

.....

.....

.....

The receipt of your nomination, dated the/cancellation dated the of the nomination made earlier in respect of death-cum-retirement gratuity in form is hereby acknowledged. The same has been duly placed on record.

.....

Place.....—.....

Signature of the Head of Office/

Dated, the

Accounts Officer

Designation

Note :—The railway servant is advised that it would be in the interest of the nominee(s) if copies of the nomination and the related notices and acknowledgement are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death.

FORM 6

[See rule 75(15)(a)]

STATEMENT SHOWING THE DETAILS OF THE MEMBERS OF THE FAMILY FOR
PURPOSES OF FAMILY PENSION

1. Name (Block letters)
2. Designation Branch
3. Office
4. Date of birth
5. Date of appointment
6. Details of family as on

S. No.	Name of members of family	Relationship with the railway servant	Date of birth (By Christian era)	Whether the child is physically handicapped	Remarks
1.					
2.					
3.					
4.					
5.					
6.					
	and so on				

I declare that the information given above, is correct. I hereby undertake to keep the above particulars upto date by notifying to the Head of Office by addition or alteration.

.....

Signature of railway servant

Station

Dated

Witness

Signature

Date —

Name (Block Letters)

.....

Designation

Office

.....

Countersigned

Head of Office/Accounts Officer

Station

Dated

Designation

FORM 7

(See rules 78, 80, 81 (1) and (3) and 85(1))

FORM FOR ASSESSING PENSION AND GRATUITY

(To be sent in duplicate if payment is desired in a different circle of accounting unit).

PART I

1. Name of the railway servant.
2. Father's name (and also husband's name in the case of female railway servant)
3. Date of birth (by Christian era)
4. Religion
5. Permanent residential address, showing village, town, district and State
6. Present or last appointment including name of establishment
 - (i) Substantive
 - (ii) Officiating, if any
7. Date of beginning of service
8. Date of ending of service
9. (i) Total period of military service for which pension or gratuity was sanctioned
(ii) Amount and nature of any pension/gratuity received for the military service.
10. Amount and nature of any pension/gratuity received for previous civil service.
11. Government under which service has been rendered in order of employment

Years

Months

Days

12. Class of pension applicable
13. The date on which action initiated to—
 - (i) Obtain the 'No Demand Certificate' from the Directorate of Estates as provided in rule 98(1)
 - (ii) assess the service and emoluments qualifying for pension as provided in rule 79; and
 - (iii) assess the railway/Government dues other than the dues relating to the allotment of railway/Government accommodation.
14. Details of omissions, imperfections or deficiencies in the service book which have been ignored under rule 79(1)(b)(ii)
15. Total length of qualifying service (for the purpose of adding towards broken periods, a month is reckoned as thirty days).
16. Periods of non-qualifying service—
 - (i) Interruption in service condoned under rule 43.
 - (ii) Extraordinary leave not qualifying for pension
 - (iii) Period of suspension not treated as qualifying
 - (iv) Any other service not treated as qualifying

From

To

Total

17. Emoluments reckoning for gratuity

18. Average emoluments

*Emoluments drawn during the last ten months of service

Post held	From	To	Pay	Personal pay or Special pay	Average emoluments
-----------	------	----	-----	--------------------------------	-----------------------

19. Date on which Form 8 has been obtained from the railway servant (To be obtained eight months before the date of retirement of railway servant)

20. (i) Proposed pension

(ii) Proposed graded relief

-*(i) In a case where the last ten months include some period not be reckoned for calculating average emoluments an equal period backward has to be taken for calculating average emoluments.

(ii) The calculation of average emoluments should be based on actual number of days contained in each month.

21. Proposed death-cum-retirement gratuity.

22. Date from which pension is to commence.

23. Proposed amount of provisional pension. If departmental or judicial proceeding is instituted against the railway servant before retirement.

24. Details of railway/Government dues recoverable out of gratuity —

(i) Licence fee for the allotment of railway/
Government accommodation.

25. Whether nomination made for death-cum-retirement gratuity.

26. Whether Family Pension 1964 applies to the Government servant, and if so—

(i) emoluments reckoning for the family pension

(ii) the amount of the family pension becoming payable to the family of the railway servant, if death takes place after retirement—

(a) before attaining the age of 65 years, or

Rs.

(b) after attaining the age of 65 years

Rs.

(iii) Complete and up-to-date details of the family as given in Form 6 :—

Sl. No.	Name of the member of the family	Date of birth	Relationship with the railway servant
1.			
2.			
3.			
4.			
5.			

27. Height
28. Identification marks
29. Place of payment of pension (Treasury, sub-Treasury or Branch of Public Sector Bank/Post Office or the Pay and Accounts Office)
30. Head of Account to which pension and gratuity are debitable

Signature of the
Head of Office

PART II

SECTION I

Account encasement :

1. Total period of qualifying service, which has been accepted for the grant of superannuation or retiring or invalid or compensation or compulsory retirement pension and gratuity, with reasons for disallowance, if any, (other than disallowance indicated in Part I of this Form)
2. Amount of superannuation or retiring or invalid or compensation or compulsory retirement pension or gratuity that has been admitted.
3. The date from which superannuation or retiring or invalid or compensation or compulsory retirement pension or gratuity is admissible.
4. Head of Account to which superannuation or retiring or invalid or compensation or compulsory retirement pension or gratuity is chargeable.
5. The amount of the Family Pension 1964 becoming payable to the entitled members of the family in the event of death of the railway servant after retirement.

SECTION II

1. Name of the railway servant
2. Class of pension or gratuity
3. Account of pension authorised
4. Date of commencement of pension
5. Amount of gratuity authorised
6. Amount of family pension in the event of death after retirement :—
 - (i) If death takes place before 65-years of age,
 - or
 - (ii) If death takes place after 65 years of age
7. The amount of graded relief admissible on pension
8. The Government dues or railway dues recoverable out of gratuity before authorising its payment
9. The amount of cash-deposit or the amount of gratuity held over for adjustment of unassessed Railway/Government dues
10. Date on which the pension papers received by the Accounts Officer.

FORM 8

[See rules 79(1)(c) and 81(1)]

PARTICULARS TO BE OBTAINED BY THE HEAD OF OFFICE FROM THE RETIRING RAILWAY
SERVANT EIGHT MONTHS BEFORE THE DATE OF HIS RETIREMENT

1. Name
- 2.(a) Date of birth
(b) Date of retirement
3. *Two specimen signatures (to be furnished in a separate sheet duly attested by a gazetted Government servant).
4. **Three copies of passport size joint photograph*** with wife or husband (To be attested by the Head of Office).
5. Two slips showing the particulars of height**** and personal identification marks duly attested by a gazetted Government servant.
6. Present Address.
7. @Address after retirement.
8. Name of the Treasury or the Branch of Public Sector Bank/Post Office for the Pay and Accounts Office through which the pension is to be drawn.
9. Details of the Family in Form 6.
10. Indicate whether family pension is admissible from any other source—military or State Government and or a Public Sector Undertaking/autonomous body/Local Fund under the Central or a State Government.

.....
Signature

Place.....

Designation

Dated, the.....

.....
Ministry/Deptt./Office.

*Two slips each bearing the left hand thumb and finger impressions duly attested may be furnished by a person who is not literate enough to sign his name. If such a railway servant on account of physical disability is unable to give left hand thumb and finger impressions he may give thumb and finger impressions of the right hand. Where a railway servant has lost both the hands, he may give his toe impressions. Impressions should be duly attested by a gazetted Government servant.

**Two copies of the passport size photograph of self only need be furnished by a railway servant if he is governed by rule 75 of the Railway Services (Pension) Rules 1993 and is unmarried or a widower or widow;

***Where it is not possible for a railway servant to submit a photograph with his wife or her husband, he or she may submit separate photographs. The photographs shall be attested by the Head of Office.

****Specify a few conspicuous marks, not less than two, if possible.

@Any subsequent change of address should be notified to the Head of Office.

FORM 9

[See rule 81(1)]

FORM OF LETTER TO THE ACCOUNTS OFFICER FORWARDING THE PENSION PAPERS
OF A RAILWAY SERVANT

No.
Office of
Station.....
Dated, the

To

The Financial Adviser and
Chief Accounts Officer/
The Pay and Accounts Officer

.....
.....
.....

Subject : Pension papers of Shri/Shrimati/
Kumari.....
for authorisation of pension.

.....

Sir,

I am directed to forward herewith the pension papers of Shri/Shrimati/Kumari
of this Ministry/Department/Office for further necessary action.

2. The details of Railway/Government dues which will remain outstanding on the date of retirement of the railway servant and which need to be recovered out of the amount of death-cum-retirement gratuity are indicated below:

- | | |
|--|-----|
| (a) Balance of the house-building or conveyance advance. | Rs. |
| (b) Overpayment of pay and allowances including leave salary | Rs. |
| (c) Income-tax deductible at source under the Income-tax Act, 1961 (43 of 1961) | Rs. |
| (d) Arrears of licence-fee for occupation of Railway/
Government accommodation. | Rs. |
| (e) The amount of licence-fee for the retention of railway or
Government accommodation for the permissible period of
two months beyond the date of retirement. | Rs. |
| (f) Any other assessed dues and the nature thereof. | Rs. |
| (g) The amount of gratuity to be withheld for adjustment of
unassessed dues, if any | Rs. |

Total Rs. _____

3. Attention is invited to the list of enclosures which is forwarded herewith.

4. The receipt of this letter may be acknowledged and this Ministry/Department/Office informed that necessary instructions for the disbursement of pension have been issued to disbursing authority concerned.

5. The death-cum-retirement gratuity will be drawn and disbursed by this Ministry/Department/Office on receipt of authority from you. The outstanding railway or Government dues as mentioned in Para 2 above will also be recovered out of the death-cum-retirement gratuity before making payment.

Yours faithfully,
Head of Office

List of enclosures

1. Form 7* and Form 8 duly completed.
 2. Medical certificate of incapacity (if the claim is for invalid pension).
 3. Statement of the savings affected and the reasons why employment could not be found elsewhere (if claim is for compensation pension or gratuity).
 4. Service book (date of retirement to be indicated in the service book)
 5. (a) Two specimen signatures, duly attested by a gazetted Government servant or in the case of pensioner not literate enough to sign his name, two slips bearing the left hand thumb and finger impressions, duly attested by a gazetted government servant.
 - *(b) Three copies of passport size photograph with wife or husband (either jointly or separately) duly attested by the Head of Office.
 - (c) Two slips showing the particulars of height and identification marks, duly attested by a gazetted Government servant.
 6. A Statement indicating the reasons for delay in case the pension papers are not forwarded before six months of the retirement of railway servant.
 7. Written statement, if any, of the railway servant as required under rule 79(1)(a).
 8. Brief statement leading to reinstatement of the railway servant in case the railway servant has been reinstated after having been suspended, compulsorily retired, removed or dismissed from service.
- NOTE : When initials or name of the railway servant are or is incorrectly given in the various records consulted this fact should be mentioned in the letter.

FORM 10

[See rules 92 and 100(2)]

FORM OF APPLICATION FOR THE GRANT OF FAMILY PENSION 1964 ON THE DEATH OF A RAILWAY SERVANT/PENSIONER

1. Name of the applicant :
 - (i) Widow/widower
 - (ii) Guardian if the deceased person is survived by child or children.
2. Name and age of surviving widow/widower and children of the deceased railway servant/pensioner :—

S. No.	Name	Relationship with the deceased person	Date of birth by Christian era
1.			
2.			
3.			
4.			
5.			
6.			

3. Name and No. of the Pension Payment Order of the deceased pensioner.
4. Date of death of the railway servant/pensioner.
5. Office in which the deceased railway servant/pensioner served last.
6. If the applicant is guardian, his date of birth and relationship with the deceased railway servant/pensioner.
7. If the applicant is a widow/widower the amount of service pension which she/he may be in receipt on the date of death of the husband/wife.
8. Full address of the applicant.
9. Place of payment of the Pension and Gratuity (Treasury, Sub-treasury or Public Sector Bank Branch and Pay and Accounts Office).

10. Enclosures :

- (i) Two specimen signatures of the applicant, duly attested (to be furnished in two separate sheets).
- (ii) Two copies of passport size photograph of the applicant duly attested.
- (iii) Descriptive Roll of the applicant duly attested indicating (a) height and (b) personal marks, if any, on the hand, face etc. (specify a few conspicuous marks, not less than two, if possible.).
- (iv) Two slips each bearing left hand thumb and finger impressions* of the applicant, duly attested.
- (v) Certificate(s) of age (in original with two attested copies) showing the dates of birth of the children. The certificate should be from the Municipal Authorities or from the local Panchayat or from the head of a recognised school if the child is studying in such school. This information should be furnished in respect of such child or children, the particulars of whose date of birth are not available with the Head of Office.

11. Signature or left hand thumb impression* of the applicant.

12. Attested by :

Name	Full Address	Signature
(i)
(ii)

13. Witnesses :

Name	Full address	Signature
(i)
(ii)

Note: Attestation should be done by two gazetted Government servants or two or more persons of respectability in the town, village or Pargana in which the applicant resides.

*To be furnished in case the applicant is not literate enough to sign his name.

In the case of re-marrying of the widow while applying for family pension on behalf of the minor child, the widow should furnish (i) the date of her re-marrying, (ii) name of the Treasury/Sub-Treasury at which payment is desired and (iii) her full address in the application for family pension. It is not necessary to furnish a fresh application nor the documents.

FORM 11

[See rule 92(2)]

FORM OF LETTER TO THE MEMBER OR MEMBERS OF THE FAMILY OF A DECEASED RAILWAY SERVANT WHERE VALID NOMINATION FOR THE GRANT OF THE DEATH GRATUITY EXISTS.

No.
Office of
Station
Dated

To

.....
.....
.....

Sub:—Payment of death-cum-retirement gratuity in respect of the late Shri/Shrimati.....

Sir/Madam,

I am directed to state that in terms of the nomination made by the late Shri/Shrimati..... (Designation) in the Office/Department of....., a death-cum-retirement gratuity is payable to his/her nominee(s). A copy of the said nomination is enclosed herewith.

2. I am to request that a claim for the grant of the gratuity may be submitted by you in the enclosed Form 13.

3. Should any contingency have happened since the date of making the nomination, so as to render the nomination invalid, in whole or in part, precise details of the contingency may kindly be stated.

Yours faithfully

Head of Office

FORM 12

[See rule 92(2)]

FORM OF LETTER TO THE MEMBERS OF THE FAMILY OF A DECEASED RAILWAY SERVANT WHERE VALID NOMINATION FOR THE GRANT OF DEATH GRATUITY DOES NOT EXIST.

No.

Office of

Station.....

Dated

To

.....
.....
.....

Sir/Madam,

Sub:— Payment of death-cum-retirement gratuity in respect of the late Shri/Shrimati.....

I am directed to say that in terms of Rule 70.....a death-cum-retirement gratuity is payable to the following members of the family of late Shri/Shrimati.....(Designation) in the office/department/Ministry of.....in equal shares:

(i) Wife/husband including judicially separated wife/husband

(ii) sons
(iii) Unmarried daughters } including step children and adopted children

2. In the event of there being no surviving member of the family as indicated above, the gratuity will be payable to the following members of the family in equal shares:

(i) Widowed daughters including step daughters and adopted daughters

(ii) father
(iii) mother } including adoptive parents in case of individuals whose personal law permits adoption

(iv) brother below the age of eighteen years and unmarried/widowed sisters including step brothers and step sisters.

(v) married daughters, and

(vi) children of a pre-deceased son.

3. It is requested that a claim for the payment of gratuity may be submitted in the enclosed Form 13 as soon as possible.

Yours faithfully,
Head of Office

FORM 13

[See rule 92(2)]

FORM OF APPLICATION FOR THE GRANT OF DEATH GRATUITY ON DEATH OF A RAILWAY SERVANT.

(To be filled in separately by each claimant and in case the claimant is minor, the Form should be filled in by the guardian on his/her behalf. Where there are more than one minor, the guardian should claim gratuity in one Form on their behalf).

1. (i) Name of the claimant in case he is not minor

(ii) Date of birth of the claimant.

2. (i) Name of the guardian in case the claimants are minor.

(ii) Date of birth of the guardian.

3. (i) Name of the deceased railway servant in respect of whom gratuity is being claimed.

(ii) Date of death of railway servant.

(iii) Office/Department in which the deceased served last.

4. Relationship of the claimant/guardian with the deceased railway servant.

5. Full postal address of the claimant/guardian.

6. (i) Where gratuity is claimed by the guardian on behalf of minors, their ages, relationship with the deceased railway servant, etc.:—

S. No.	Name	Age	Relationship with the deceased railway servant	Postal address
1.				
2.				
3.				
4.				
5.				

(ii) Relationship of the guardian with minor.

7. Place of payment of pension and gratuity.

(Treasury Sub-treasury, Public Sector Bank Branch, of the Pay and Accounts Officer.

Signature/Thumb-impression
of the claimant/guardian

8. Two specimen signatures or* left hand thumb and finger impressinons of the claimant/guardian duly attested. (To be furnished in a separate sheet).

9. **Attested by:—

Name	Full Address	Signature
(i)
(ii)

10. Witnesses:

Name	Full Address	Signature
(i)
(ii)

*To be furnished in case the applicant is not literate enough to sign his name.

**Attestation should be done by two gazetted Government servants or two more persons of respectability in the town, village or Paraganas in which the applicant resides.

FORM 14

[See rule 92(3)]

FORM OF LETTER TO THE WIDOW/WIDOWER OF A DECEASED RAILWAY SERVANT FOR GRANT OF FAMILY PENSION 1964.

No.
Office of
Dated, the

To

.....
.....
.....

Sub:—Payment of Family Pension 1964 in respect of late Shri/Shrimati.....

Sir/Madam,

I am directed to say that in terms of rule 75 of the Railway Services (Pension) Rules, 1993, a Family Pension 1964 is payable to you as widow/widower of the late Shri/Shrimati. (Designation) in the office of.....

2. You are advised that a claim for the grant of Family Pension 1964 may be submitted in the enclosed Form 10.

3. The Family Pension 1964 will be payable till your death or re-marriage, whichever event occur earlier. In the event of your death or re-marriage, the Family Pension 1964 shall be granted to the child or children, if any, through the guardian.

Yours faithfully,

Head of Office

FORM 15

(See rule 47)

Form of certificate of verification of service for pension

No.....
Government of India
Ministry of
Dated.....

Certificate

It is clarified, in consultation with the Accounts Officer, that Shri..... Designation has completed a qualifying service of..... years..... months and..... days as on..... (date), as per details given below: The service has been verified on the basis of his service documents and in accordance with the rules regarding qualifying service in force at present. The verification of service under sub-rules (1) and (2) of rule 47 of the Railway services (Pension) Rules, 1993 shall be treated as final and shall not be re-opened except when necessitated by a subsequent change in the rules and orders governing the conditions under which the service qualifies for pension.

DETAILS OF QUALIFYING SERVICE

From

To

1.
2.
3.

Signature of Head of Officer

To

Shri.....
(Name and Designation)

FORM 16

[See rules 93, 95(1), (3)(5) and 97(1)(5)]

**FORM FOR ASSESSING AND AUTHORISING THE PAYMENT OF FAMILY PENSION AND DEATH-
CUM-RETIREMENT GRATUITY WHEN A RAILWAY SERVANT
DIES WHILE IN SERVICE.**

....
(To be sent in duplicate if payment is desired in a different Circle of accounting unit.).

PART I

Section I

1. Name of the deceased railway servant.
2. Father's name (and also housband's name in the case of female railway servant).
3. Date of birth (by Christian era)
4. Date of death (by Christian era)
5. Religion
6. Office/Department/Ministry in which last employed
7. Appointment held last :
 - (i) Substantive
 - (ii) Officiating
8. Date of beginning of service
9. Date of ending of service
10. (i) Total period of military service for which pension gratuity was sanctioned; and
 (ii) Amount and nature of any pension gratuity received for the military service.
11. Amount and nature of any pension received for previous civil service, if any
12. Railway under which service has been rendered in order of employment
13. The date on which intimation regarding the death of railway servant was received by the Head of office
14. The date on which action initiated to—
 - (i) obtain claim or claims from the claimants in the appropriate form for death-cum-retirement gratuity and family pension as provided in rule 92.
 - (ii) obtain the No Demand Certificate from the Directorate of Estates.
 - (iii) Assess the railway dues other than the dues pertaining to occupation of railway accommodation.
 - (iv) Assess the service and emoluments qualifying for death-cum-retirement gratuity and family pension as provided in rules 93 and 94
15. Whether nomination made for death-cum-retirement gratuity.
16. Length of service qualifying for death-cum-retirement gratuity/pension.
17. Periods of non-qualifying service—
 - (i) Interruption in service condoned From _____ To under rule 43
 - (ii) Extraordinary leave not qualifying for gratuity.
 - (iii) Period of suspension treated as non-qualifying
 - (iv) Any other service not treated as qualifying service.

Total period of non-qualifying service. _____

18. (a) Emoluments reckoning for death-cum-retirement gratuity.
(b) Amount of death-cum retirement gratuity.
19. If Family Pension 1964 applies;
(i) Proposed Family Pension at—
(a) enhanced rates (if service rendered at the time of death is more than seven years as in rule 75(4))
(b) ordinary rates—as in rule 75(2)
(ii) Period of tenability of Family Pension 1964
- | | | |
|--------------------|------|----|
| | From | To |
| (a) enhanced rates | | |
| (b) ordinary rates | | |
20. Person to whom family pension is payable :
Name :
Relationship with the deceased
railway servant :
Full Postal address :
21. Details of Government and railway dues recoverable out of gratuity—
(i) Licence-fee for occupation of Railway/Government accommodation.
(ii) Amount of death-cum-retirement gratuity to be held over pending receipt of information from the Directorate of Estate/Engineering Department.
(iii) Dues referred to in rule 98(2)
22. Date on which claims received from the claimants.
23. Name of guardian who will receive payment of death-cum-retirement gratuity and family pension in the case of minors.
24. Place of payment (Treasury, sub-treasury or Branch of Public Sector Bank or the Pay and Accounts Office).
25. Head of Account to which death-cum-retirement gratuity and family pension are debitable.

Place

Dated the

Signature of Head of Office

Section II

Details of provision of family pension and gratuity to be drawn and disbursed by the Head of Office in accordance with rule 96.

Provisional Family Pension

Rs.....P.m.

Gratuity [the amount mentioned in item 18(b) of Part I].

Rs.....P.m.

Less :

- (a) Licence-fee recoverable from gratuity for occupation of Railway/Government accommodation [as in item 21(i) of Section I]

Rs.....p.m.

- (b) Amount of gratuity to be held over pending receipt of information from the Directorate of Estate/Engineering Department (as in item 21 of Part I)

Rs.....

- (c) Other Government dues as mentioned in item 21(iii) of Part I.

Rs.....

- (d) Total of (a), (b) and (c)

Rs.....

Place

Dated the

Signature of Head of Office

PART II

Section I

Account Enforcement

1. Total period of qualifying service, which has been accepted for—
 - (i) Death-cum-retirement gratuity
 - (ii) Family Pension 1964
2. Net amount of gratuity after adjusting Government dues.
3. Amount and the period of tenability of Family Pension 1964.
If death took place

Amount	Period of tenability	
	From	To
Rs.		

- (i) before seven years service.
- (ii) after seven years service.

4. Date from which Family pension is admissible.
5. Head of Account to which death-cum-retirement gratuity and family pension are chargeable.

Section II

1. Name of the deceased railway servant.
2. Date of death of the railway servant.
3. Date on which pension papers received by the Accounts Officer.
4. Amount of family pension authorised.
5. Amount of gratuity authorised.
6. Date of commencement of family pension
7. Date on which payment of family pension and gratuity authorised.
8. Amount recoverable from gratuity.
9. Amount of gratuity held over pending receipt of 'No demand certificate'.

Place

Dated, the

Accounts Officer

FORM 17

[See rule 95(1)]

FORM OF LETTER TO THE ACCOUNTS OFFICER FORWARDING PAPERS FOR THE GRANT OF FAMILY PENSION AND DEATH-CUM-RETIREMENT GRATUITY TO THE FAMILY OF A RAILWAY SERVANT WHO DIES WHILE IN SERVICE.

No.
Office of
Station
Dated the

To

The Pay and Accounts Officer/
Financial Adviser and Chief
Accounts Officer,
.....
.....

Sub : Grant of family Pension and death-cum-retirement gratuity.

Sir.

I am directed to say that Shri.....(designation)..... died on..... His family has become eligible for the grant of family pension and death-cum-retirement gratuity. Form 16 duly completed is forwarded herewith for further necessary action.

2. Railway dues in respect of the deceased railway servant will be recovered out of the death-cum-retirement gratuity as indicated in Section II of Part I of Form 16.

3. Your attention is invited to the list of enclosures which is forwarded herewith.

4. The receipt of this letter may be acknowledged and this Office informed that necessary instructions for the disbursement of family pension and death-cum-retirement gratuity have been issued to the disbursing authority concerned.

Yours faithfully,

Head of Office

List of enclosures

1. Form 16 duly completed.
2. Service book (Date of death to be indicated in the service book).
3. Two specimen signatures or left hand thumb and finger impressions of the claimant or guardian duly attested.
4. Two copies of passport size photographs of the claimant or guardian duly attested.
5. Two copies of descriptive roll of the claimant or guardian duly attested indicating height and personal marks.
6. Postal address of the claimant or guardian.

FORM 18

[See rule 100(2)(b)(ii)]

FORM OF LETTER SANCTIONING FAMILY PENSION 1964 TO THE CHILD OR CHILDREN OF A RETIRED RAILWAY SERVANT WHO DIES AFTER RETIREMENT BUT DOES NOT LEAVE BEHIND A WIDOW OR WIDOWER.

No.
Office of
Station
Dated the

To

The Financial Adviser and
Chief Accounts Officer/
Pay and Accounts Officer,

.....
.....

Sub :— Grant of Family Pension 1964 to the child/children.

Sir,

I am directed to say that Shri/Shrimati.....formerly.....(Designation) of this Department was authorised pension of Rs.....with effect from.....on his/her retirement from service.

2. Intimation has been received in this Department that Shri/Shrimati.....died on.....and that at the time of death left no widow/widower but was survived by the following children* :—

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

3. In terms of rule 75 of Railway Services (Pension) Rules, 1993 the amount of Family Pension 1964 has become payable to the children in the order mentioned above. The Family Pension 1964 will be payable on behalf of the minor of Shri/Shrimati.....who is the guardian.

4. Sanction for the grant of Family Pension 1964 of Rs. per month to the children mentioned above is hereby accorded. The Family Pension 1964 will take effect from and subject to the provisions of sub-rule (5) of rule 75 of the Railway Services (Pension) Rules, 1993 will be tenable till

5. Attention is invited to the information furnished in the list of enclosures.

6. The receipt of this letter may kindly be acknowledged and this Office informed that instructions for the payment of Family Pension 1964 to the guardian have been issued to the disbursing authority concerned.

Yours faithfully,

H ad of Office.

List of enclosures

1. Permanent address of the guardian.
2. Place of payment (Government Treasury, Sub-Treasury of Branch of Public ~~Save~~ Bank or Pay and Accounts Office).
3. Specimen signature of **left hand thumb and finger impressions of the ~~claimant~~ guardian duly attested.
4. Two attested copies of pass-port size photograph of the guardian.
5. Descriptive roll of the guardian, duly attested.

*The names of children should be mentioned in the order of eligibility mentioned in rule 75 of the Railway Services (Pension) Rules, 1993.

**To be furnished in the case of the guardian who is not literate enough to sign his or her name.

FORM 19

[See rule 100(2)(c)(iv)]

FORM OF LETTER SANCTIONING FAMILY PENSION TO THE CHILD OR CHILDREN ON THE DEATH OR RE-MARRIAGE OF A WIDOW/WIDOWER WHO WAS IN RECEIPT OF FAMILY PENSION 1964.

No.
Office of
Station.....
dated the

To

The Financial Adviser and
Chief Accounts Officer/
Pay and Accounts Officer,
.....
.....

Sub : Grant of family pension to the child/children.

Sir,

I am directed to say that Shri/Shrimati.....Widow/Widower of late Shri/Shrimatiformerly.....(designation) in this Office was authorised the payment of Family pension 1964 of Rs.....with effect from..... the Family Pension 1964 was tenable till the death or re-marriage of the widow/widower.

2. Intimation has been received in this Office that Shri/Shrimati.....died/remarried on.....

3 At the time of death/re-marriage Shri/Shrimati..... had following children* —

S.No.	Name	Son/Daughter	Date of birth in Christian era	Date from which the family pension ceases to be payable
1.				
2.				
3.				
4.				
5.				
6.				

*The names of children should be mentioned in the order of eligibility mentioned in rule 75 of the Railway Services (Pension) Rules, 1993.

4. In terms of rule 75 of the Railway Services (Pension) Rules, 1993, the amount of Family Pension 1964, has become payable to the children in the order mentioned above. The Family Pension 1964 will be payable on behalf of the minors to Shri/Shrimati.....who is the guardian.

5. Sanction for the grant of Family Pension 1964 of Rs.....p.m. to the children mentioned above is hereby accorded. The Family Pension 1964 will take effect from.....and subject to the provisions of sub-rule (5) of Rule 75 of the Railway Services (Pension) Rules, 1993 will be tenable till.....

6. Attention is invited to the information furnished in the list of enclosures.

7. The receipt of this letter may kindly be acknowledged and this Office informed that necessary instructions for the payment of Family Pension 1964 to the guardian have been issued to the disbursing officer concerned.

Yours Faithfully,

Head of Office.

LIST OF ENCLOSURES

1. Permanent address of the guardian.
2. Place of payment (Government Treasury, Sub-Treasury, Branch of Public Sector Bank, Pay and Accounts Office or Post Office).
3. Specimen signature or *left hand thumb and finger impressions of the guardian, duly attested.
4. Two attested copies of passport size photograph of the guardian.
5. Descriptive roll of the guardian, duly attested.

*To be furnished in the case of the guardian who is not literate enough to sign his or her name.

FORM 20

[See rule 100(3)]

Form of application for the Grant of Residuary* Gratuity on the Death of a Pensioner.

(To be filled in separately by each applicant)

1. Name of the applicant.
2. (i) Name of the guardian in case the applicant is minor.
(ii) Date of birth of guardian.
3. Name of the-deceased pensioner.
4. Office/Department/Ministry in which the-deceased pensioner served last.
5. Date of death of the pensioner.
6. Date of retirement of the-deceased pensioner.
7. Amount of monthly** pension (including adhoc increase, if any) sanctioned to the deceased pensioner

8. Amount of death-cum-retirement gratuity received by the deceased pensioner.
9. The amount of pension**(including *ad-hoc* increase, if any) drawn by the deceased till the date of death.
10. If the deceased had commuted a portion of pension before his death, the commuted value of the pension.
11. Total of items 8, 9 and 10.
12. Amount of death-cum-retirement gratuity equal to twelve times of the emoluments.
13. The amount of residuary gratuity claimed, i.e., the difference between the amount shown against items 12 and 11.
14. Relationship of the applicant with the deceased pensioner.
15. Date of birth of the applicant.
16. Name of the Treasury or Sub-Treasury at which payment is desired.
17. Full address of the applicant.
18. Signature or thumb impression of the applicant (to be furnished in a separate sheet duly attested***)
19. Attested by :

Name	Full Address	Signature
(i)
(ii)
20. Witnesses :

(i)
(ii)

*If a retired railway servant in receipt of service gratuity or pension dies within five years from the date of his retirement from service including compulsory retirement as a penalty and the sums actually received by him at the time of his death on account of such gratuity or pension including *ad hoc* increase, if any, together with the death-cum-retirement gratuity and the commuted value of any portion of pension commuted by him are less than the amount of equal to twelve times of his emoluments, a residuary gratuity equal to the deficiency becomes payable to the family.

**When a railway servant has retired before earning a pension, the amount of service gratuity should be indicated.

***Attestation should be done by two gazetted Government servants or by two or more persons of respectability in the town, village or pargana in which the applicant resides.

INDEX PART II

RAILWAY SERVICES (COMMUTATION OF PENSION) RULES, 1993

<p style="text-align: center;">CHAPTER I</p> <p>Rule 1 Short title and commencement</p> <p>Rule 2 Application</p> <p>Rule 3 Definitions</p> <p style="text-align: center;">CHAPTER II</p> <p style="text-align: center;">GENERAL CONDITIONS</p> <p>Rule 4 Delegation of Powers</p> <p>Rule 5 Restriction on Commutation of Pension</p> <p>Rule 6 Limit on Commutation of Pension</p> <p>Rule 7 Commutation of Pension to become absolute</p> <p>Rule 8 Nominations</p> <p>Rule 9 Calculation of commuted value of Pension</p>	<p>Rule 10 Commutation of Provisional Pension</p> <p>Rule 11 Retrospective revision of final pension</p> <p style="text-align: center;">CHAPTER III</p> <p style="text-align: center;">COMMUTATION OF PENSION WITHOUT MEDICAL EXAMINATION</p> <p>Rule 12 Scope</p> <p>Rule 13 Eligibility</p> <p>Rule 14 Application for Commutation of Pension</p> <p>Rule 15 Action to be taken by the Head of Office on application for Commutation of Pension</p> <p>Rule 16 Authorisation of Commuted Value by the Accounts Officer</p> <p>Rule 17 Authorisation of the commuted value of a fraction of provisional pension</p>
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CHAPTER IV

COMMUTATION OF PENSION AFTER MEDICAL EXAMINATION

- Rule 18 Scope
- Rule 19 Eligibility
- Rule 20 Application for Commutation of Pension
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- Rule 33 Interpretation
- Rule 34 Power to relax
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In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely :—

CHAPTER I

PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Railway Services (Commutation of Pension) Rules, 1993.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application.—These rules shall apply to railway servants who are entitled to or have been authorised any class of pension referred to in Chapter V of the Railway Pension Rules.

3. Definitions.—(1) In these rules, unless the context otherwise requires,

- (a) “applicant” means a railway servant, including a retired railway servant, who applies for commutation of a fraction of pension in such one of the Forms 1 to 3 as may be applicable to the case of the applicant;
- (b) “Chief Medical Authority” means the Chief Medical Officer, Chief Hospital Superintendent,

dent, Medical Superintendent, or Divisional Medical Officer, as the case may be, of the railways; and for the staff of Railway Board covered by Central Government Health Scheme, the Chairman of the Central Standing Medical Board, Dr. Ram Manohar Lohia Hospital or Safdarjung Hospital, New Delhi;

- (c) “retirement gratuity” means the gratuity payable under sub-rule (1) of rule 70 of the Railway (Pension) Rules;
- (d) “disbursing authority” means—
- (i) Branch of a Nationalised Bank; or
 - (ii) Treasury including sub-treasury; or
 - (iii) Accounts Officer; or
 - (iv) Branch of a Post Office, from where the applicant is receiving pension authorised under the Railway Pension Rules;
- (e) “Form” means a Form appended to these rules;
- (f) “Head of Office” means a gazetted officer referred to in clause (15) of rule 3 of the Railway Pension Rules;
- (g) “Medical authority” means medical authority referred in rule 23;
- (h) “Pension” means any class of pension including Compassionate allowance referred to in Chapter V of the Railway Pension Rules but does not include extra pension and the amount, by whatever name called, granted by the railway to a Pensioner as a Compensation for higher cost of living;
- (i) “Provisional Pension” means the pension referred to in rule 10 or rule 9, as the case may be, of the Railway Pension Rules.
- (j) “Railway Pension Rules” means the Railway Services (Pension) Rules, 1993;
- (k) “Table” means the table in Appendix to these rules.

(2) The words and expressions used in these rules but not defined shall have the meanings respectively assigned to them in the Railway Services (Pension) Rules.

CHAPTER II

GENERAL CONDITIONS

4. Exercise of powers—

The powers conferred by these rules shall be exercised by the authorities competent to sanction pensionary benefits to a railway servant as specified in rule 89 of the Railway pension Rules.

5. Restriction on commutation of pension—

No railway servant against whom any departmental or any judicial proceedings as referred to in rule 9 of the Railway Pension Rules, have been instituted before the date of his retirement, or the pensioner against whom such proceedings are instituted after the date of his retirement, shall be eligible to commute a fraction of his provisional pension authorised under rule 10 of the Railway Pension Rules or the pension, as

the case may be, during the pendency of such proceedings.

6. Limit on Commutation of Pension—

(1) Subject to the provisions of these rules, a railway servant shall be entitled to commute for lump-sum payment a fraction not exceeding one third of his pension.

(2) In an application for commutation in Form 1 Form 2 or Form 3 as the case may be, an applicant shall indicate the fraction of pension which he desires to commute and shall indicate the maximum limit of one third of pension or such lower limit as he may desire to commute.

(3) If fraction of pension to be commuted results in fraction of rupee, such fraction of a rupee shall be ignored for the purpose of commutation.

7. Commutation of Pension to become absolute—

(1) The commutation of pension shall become absolute in the case of an applicant referred to—

- (i) in sub-rule (1) of rule 14 on the date on which the application in Form 1 is received by the Head of Office;
- (ii) in sub-rule (3) of rule 14 on the date following the date of retirement of the applicant;
- (iii) in Chapter IV, on the date on which the medical authority signs the medical report in Part III of Form 5.

Provided that—

- (a) in the case of an applicant who is drawing his pension from a treasury or Accounts Officer, the reduction in the amount of pension on account of commutation shall be operative from the date of receipt of the commuted value of pension or at the end of three months after issue of authority by the Accounts Officer for the payment of commuted value of pension, whichever is earlier;
- (b) in the case of an applicant who is drawing pension from a branch of a Nationalised bank or Post Office, the reduction in the amount of pension on account of commutation shall be operative from the date on which the commuted value of pension is credited by the bank to the applicant's account to which pension is being credited; and
- (c) in the case of an applicant governed by sub-rule (3) of rule 14 in whose case the commuted value of pension becomes payable on the day following the date of his retirement, the reduction in the amount of pension on account of commutation shall be operative from its inception. Where payment of commuted value of pension could not be made within the first month after the date of retirement, the difference of monthly pension for the period between the day follow-

ing the date of retirement and the date preceding the date on which the commuted value of pension is deemed to have been paid in terms of rule 49 of the Central Government Accounts (Receipts and Payments) Rules, 1983, shall be authorised by the Accounts Officer.

(2) In the case of an applicant referred to in rule 10 or rule 11 the commuted value shall be paid in two stages. The reduction in the amount of pension shall be made from the respective dates of the payments as laid down in clause (a) or clause (b) of the proviso to sub-rule (1).

(3) The date on which the payment of the commuted value of pension was made to the applicant or the commuted value was credited to the applicant's account shall be entered in both halves of the pension payment order by the disbursing authority under intimation to the Accounts Officer who authorised the payment of commuted value of pension.

8. Nominations—

(1) An applicant shall make a nomination in Form 6 alongwith the application referred to in rule 14 or rule 20, as the case may be, conferring on one or more persons the right to receive the commuted value of pension in case the applicant dies without receiving the commuted value on or after the date on which commutation became absolute.

(2) If there is no such nomination, or if the nomination does not subsist, the commuted value shall be paid to the family in the manner indicated in clause (b) of sub-rule (1) of rule 71 of the Railway Pension Rules.

(3) If in any case the commuted value cannot be paid in the manner indicated in sub-rule (1) and (2), the same shall be paid to his heirs.

9. Calculation of commuted value of pension—

The lumpsum payable to an applicant shall be calculated in accordance with the Table of the values in Appendix applicable to the applicant on the date on which the commutation becomes absolute.

10. Commutation of provisional pension—

(1) A railway servant to whom, pending assessment of final pension, provisional pension has been sanctioned under rule 91 of the Railway Pension Rules, shall be eligible to commute a fraction of such provisional pension subject to the limit specified in rule 6.

(2) For the purpose of commutation of provisional pension, the provisions of Chapter III or Chapter IV as the case may be, shall apply.

(3) The provisions of this sub-rule shall apply to an applicant who for the purpose of commutation of provisional pension is governed by Chapter IV.

- (i) Where an applicant desires to commute a fraction of his provisional pension which works out to be not exceeding one hundred rupees per mensem and in whose case it is expected that the amount which he would be entitled to commute when the final amount

of pension has been authorised would exceed one hundred rupees per mensem, his application shall be deemed, for the purpose of rule 23, to be for commutation of amount exceeding one hundred rupees per mensem.

(ii) (a) Where the applicant does not indicate the possibility of his entitlement to commutation of pension exceeding one hundred rupees per mensem on the determination of final pension due to him, he shall be treated as having applied for commutation of pension not exceeding one hundred rupees per mensem.

(b) If on the determination of final pension, the applicant becomes entitled to commute his pension up to one hundred rupees per mensem, he shall not be required to undergo medical examination for payment to him of the difference between the commuted value of the pension originally commuted and the pension commuted subsequently.

(c) If on the determination of final pension, the applicant becomes entitled to commute a sum exceeding one hundred rupees, he shall, for commutation of pension exceeding rupees one hundred, be required to apply afresh in Form 2.

11. Retrospective revision of final pension—

An applicant who has commuted a fraction of his final pension and after commutation his pension has been revised and enhanced retrospectively as a result of Railway Board's decision, the applicant shall be paid the difference between the commuted value determined with reference to enhanced pension and the commuted value already authorised. For the payment of difference the applicant shall not be required to apply afresh :

Provided that in the case of an applicant who has commuted a fraction of his original pension not exceeding rupees one hundred after being declared fit by a Civil Surgeon or a District Medical Officer and as a result of retrospective enhancement of pension, he becomes eligible to commute an amount exceeding one hundred per mensem, he shall be allowed the difference between the commuted value of one hundred rupees per mensem and the commuted value of the fraction of the original pension without further medical examination. The commutation of any further amount beyond rupees one hundred per mensem shall be treated as fresh commutation and allowed, subject to examination by a Medical Board.

CHAPTER III COMMUTATION OF PENSION WITHOUT MEDICAL EXAMINATION

12. Scope.—The provisions of this Chapter shall apply to an applicant who is eligible to commute a fraction of his pension without medical examination.

13. Eligibility.—An applicant who is authorised—

- (i) a superannuation pension under Rule 51 of the Railway Pension Rules; or
- (ii) a retiring person under rule 52 of the Railway Pension Rules; or

(iii) a pension on absorption in or under a corporation or company or body in terms of rule 53 of the Railway Pension Rules and who elects to receive monthly pension and death-cum-retirement gratuity; or

(iv) a compensation pension on abolition of permanent post under rule 63 of the Railway Pension Rules; or

(v) a pension in whole or in part on the finalisation of the departmental or judicial proceedings referred to in rule 9 of the Railway Pension Rules and issue of final orders thereon.

shall, subject to the limit in rule 6, be eligible to commute a fraction of his pension without medical examination :

Provided that he applies for commutation of pension in Form 1 or Form 2 in accordance with the provisions of rule 14.

NOTE.—Pension referred to in clause (i), clause (ii) and clause (iv) shall include the provisional pension sanctioned under rule 91 of the Railway Pension Rules.

14. Application for commutation of pension—

(1) An applicant, who is in receipt of any pension referred to in rule 13 and desires to commute a fraction of that pension any time after the date following the date of his retirement from service but before the expiry of one year from the date of retirement, shall—

- (a) apply to the Head of Office in Form 1 after the date of his retirement;
- (b) ensure that the application in Form 1, duly completed, is delivered to the Head of Office as early as possible but not later than one year of the date of his retirement;

Provided that in the case of an applicant—

- (a) referred to in clause (iii) of rule 13 where order retiring him from Railway service had been issued from a retrospective date, the period of one year referred to in this sub-rule shall reckon from the date of issue of such retirement order;
- (b) referred to in clause (v) of Rule 13, the period of one year referred to in this sub-rule shall reckon from the date of the issue of the orders consequent on the finalisation of the departmental or judicial proceedings.

(2) An applicant who applies for commutation of pension within one year of the date of his retirement but his application in Form 1 is received by the Head of Office after one year of the date of his retirement, shall not be eligible to get his pension commuted, without medical examination. Such an applicant, if he desires to commute a fraction of his pension, shall apply afresh in Form 2 in accordance with the procedure laid down in Chapter IV.

(3) A Railway servant who is due to retire on superannuation and desires payment of the commuted value of pension being authorised at the time of issue of the pension payment order, shall be eligible to

apply for commutation of a fraction of pension along with pension papers prior to the date of retirement provided that—

- (a) the Railway servant retires on superannuation pension only;
- (b) the application is submitted to the Head of Office in Form 2, so as to reach the Head of Office not later than three months before the date of superannuation;
- (c) no such application shall be entertained if the period is less than three months from the date of superannuation of the railway servant; and
- (d) the Railway shall have no liability for the payment of the commuted value of pension if the Railway servant dies before the date of superannuation or forfeits claim to pension before such retirement.

15. Action to be taken by the Head of Office on application for commutation of pension.—(1) The Head of Office on receipt of application in Form 1 under sub-rule (1) or in Form 2 of sub-rule (3) of rule 14, shall —

- (a) initial the Form indicating the date of its receipt;
- (b) acknowledge immediately the receipt of Form 1 or Form 2 in Part II of that Form and despatch the same to the applicant;
- (c) take immediate action to complete Part III of Form 1 or Form 2 and forward the same to the Accounts Officer after retaining one copy for his record.

(2) In case, the application in Form 1 is received by the Head of Office under sub-rule (1) of rule 14 after one year of the date of retirement of the applicant, the Head of Office shall inform the applicant that —

- (a) he shall not be eligible to commute a fraction of pension without medical examination;
- (b) if he desires to get a fraction of the pension commuted, he should apply afresh in Form 2 so that arrangements for medical examination are made in accordance with the procedure laid down in Chapter IV.

16. Authorisation of commuted value by the Account Officer.—(1) The Accounts Officer on receipt of Form 1 from the Head of Office shall verify that—

- (a) information furnished by the Head of Office in Part III of Form 1 is correct;
- (b) the applicant is eligible to commute a fraction of his pension without medical examination;
- (c) the commuted value of pension has been determined correctly by the Head of Office.

(2) The Accounts Officer after necessary verification of the information furnished in Form 1 shall—

- (a) issue authority for the payment of com-

mutated value of pension to the disbursing authority concerned;

- (b) draw the attention of the disbursing authority concerned to the proviso to sub rule (1) of rule 7 so that the disbursing authority may make entry in the Pension Payment Order regarding the date on which the amount of pension is to be reduced on account of commuted part of pension;

- (c) endorse to the applicant a copy of the authority to in clause (a) with the instruction that he should collect the commuted value of pension from the disbursing authority.

- (3) (a) The Account Officer on receipt of Form 2 From the Head of Office shall ascertain and verify if the amount of superannuation pension of the applicant has been calculated and if not, take steps to finalise the amount of pension so that the Pension Payment Order is issued before one month of the date of retirement of the applicant.

- (b) (i) The Accounts Officer after necessary verification of the information furnished in Form 2 shall —

- (A) authorise the Head of Office to draw the amount of commuted value of pension on submission of a bill to him and hand over the cheque or draft superscribed 'Not Payable before the..... (date following the date of retirement)' to the pensioner;

- (B) indicate in both the halves of the Pension Payment Order (1) the gross pension; (2) the amount of pension commuted, and (3) the fact that the commuted value of pension has been authorised separately through the Drawing and Disbursing Officer;

- (C) correspondingly reduce the monthly pension from its inception;

- (D) make a note of payment of the commuted value of pension having been made to the retiring railway servant in his service book; and

- (E) where the payment of commuted value of pension has not been made within the first month after the date of retirement and the delay is not attributable to the pensioner, the Accounts Officer shall issue an authority to the Head of Office for the payment of the difference of monthly pension for the period between the day following the date of retirement and the date preceding the date on which the commuted value of pension is deemed to have been paid in terms of rule 49 of the Central Government Accounts (Receipts and Payment) Rules, 1983.

- (ii) The Accounts Officer shall intimate to the applicant the date on which the Pension

Payment Order has been despatched to the disbursing authority.

- (iii) The Accounts Officer shall also request the Head of Office to intimate the date on which the cheque or draft of the commuted value of the pension has been handed over to the applicant.

17. Authorisation of the commuted value of a fraction of provisional pension—(1) If pending determination of final pension, the Head of office has sanctioned provisional pension to a railway servant under rule 91 of the Railway Pension Rules and such a railway servant has applied for commutation of provisional pension in Form 1 in accordance with the provisions of rule 10, the Head of Office on receipt of Form 1 shall—

- (a) take action as provided in sub-rule (1) of rule 15 and forward Form 1 to the Accounts Officer along with the duly completed pension papers referred to in rule 81 of the Railway Pension Rules, in case pension papers have not already been forwarded to the Accounts Officer;
- (b) request the Accounts Officer to verify the correctness of the amount of provisional pension and the amount of the commuted value of the fraction of the provisional pension as determined in Part III of Form 1.

(2) The Accounts Officer on receipt of Form 1 under sub-rule (1), shall verify the correctness of the amount of provisional pension and make further verifications as provided in sub-rule (1) of Rule 16.

(3) The Accounts Officer after necessary verification of the amount of the provision and the amount of the commuted value shall—

- (a) issue authority for the payment of commuted value of pension to the Head of Office with the remarks that the commuted value may be drawn and disbursed to the applicant under intimation to him;
- (b) draw the attention of the Head of Office to the proviso to sub-rule (1) of rule 7 so that the Head of Office may make reduction in the amount of provisional pension on account of commutation accordingly; and
- (c) endorse to the applicant a copy of the authority referred to in clause (a) with the instructions that he should pursue the matter with the Head of Office.

(4) The Head of Office on receipt of authority from the Accounts Officer under sub-rule (3) shall draw the amount of commuted value of pension and disburse the same to the applicant under intimation to the Accounts Officer.

(5) The Accounts Officer shall on final assessment of pension—

- (a) issue authority to the disbursing authority for the payment of the difference between

the commuted value so determined and the commuted value already paid by the Head of Office;

- (b) make entry in the Pension Payment Order to be issued on the cessation of the payment of the provisional pension by the Head of Office, the fact of the payment of the commuted value of provisional pension by the Head of Office and also indicate the date from which the payment of the residuary pension shall commence.

CHAPTER IV

COMMUTATION OF PENSION AFTER MEDICAL EXAMINATION

18. Scope.—The provisions of this Chapter shall apply to an applicant who is eligible to commute fraction of his pension after medical examination.

19. Eligibility.—An applicant who—

- i) retires on invalid pension under rule 55 of the Railway Pension Rules ; or
- (ii) on absorption in or under a corporation or company or body corporate or incorporate elects the alternative of receiving the death-cum-retirement gratuity and a lump sum in lieu of pension in terms of rule 53 of the Railway Pension Rules ; or
- (iii) is compulsorily retired from service as penalty and is granted pension under rule 64 of the Railway Pension Rules ; or
- (iv) is in receipt of compassionate allowance under rule 65 of the Railway Pension Rules ; or
- (v) has retired from service on one of the pensions referred to in rule 13 but his application for commutation has not been received by the Head of Office within one year of his retirement,

shall be eligible to commute a fraction of his pension subject to the limit specified in rule 6 after he has been declared fit by the appropriate medical authority.

20. Application for commutation of pension.—An applicant referred to in Rule 19 shall apply to the Head of Office in Form 3 for commutation of a fraction of his pension including provisional pension sanctioned under rule 91 of the Railway Pension Rules.

21. Action to be taken by the Head of Office on application for commutation of pension.—(1) The Head of Office on receipt of application in Part I of Form 3 under rule 20 shall—

- (a) acknowledge immediately the receipt of Form 3 in Part II of that Form and despatch the same to the applicant ;
- (b) forward Form 3 in original to the Accounts Officer in Part III of that Form with the request that Part IV of that Form may be completed immediately and returned to him as early as possible so that action for getting

the applicant examined by the appropriate medical authority is taken,

(2) The Accounts Officer on receipt of Form 3 from the Head of Office under sub-rule (1) shall complete Part IV of that Form and transmit the same to the Head of Office as early as possible.

(3) The Head of Office on receipt of Form 3 from the Accounts Officer under sub-rule (2) shall address in Form 4 to the Chief Medical Authority where the applicant desires to be medically examined and forward to him the following documents :

- (i) Form 3 with Part IV of that Form duly completed in original ;
- (ii) two copies of the applicant's photograph of which one shall be an attested copy ;
- (iii) a copy of Form 5 with a spare copy of Part III of that form ;
- (iv) report or statement of the applicant's case if he has been granted invalid pension or has previously commuted part of his pension or declined to accept commutation on the basis of an addition of years to his actual age or has been refused commutation on medical grounds.

(4) A copy of letter in Form 4 addressed to the Chief Medical Authority shall be endorsed to the applicant and the Accounts Officer by the Head of Office.

22. Action to be taken by the Chief Medical Authority.—(1) The medical authority on receipt of documents referred to in sub-rule (3) of Rule 21 shall—

- (a) arrange as far as possible for the medical examination of the applicant by the medical authority at the nearest available station indicated by the applicant in Form 3 ;
- (b) transmit the documents referred to in sub-rule (3) of rule 21 to the medical authority with the direction to examine the applicant as provided in rule 26 ;
- (c) inform the applicant as to where and whom he should appear for medical examination or if necessary direct the medical authority to communicate to the applicant the date and time of such examination.

(2) In fixing the date of medical examination, it shall be ensured that the medical examination is held, as far as possible, before the date of applicant's next birthday.

23. Medical authority.—(1) Save as otherwise provided in sub-rule (2), the medical authority shall be a Medical Board, where an applicant for commutation of pension—

- (a) seeks commutation of invalid pension, or
- (b) seeks commutation of pension other than invalid pension but the amount of pension to be commuted together with the amount

or amounts previously commuted exceeds one hundred rupees per mensem, or

- (c) has been refused commutation on medical grounds or if he having once declined to accept commutation on the basis of addition of years to his actual age recommended by the medical authority, applied for a second medical examination in accordance with the provisions of rule 27 and rule 28.

(2) In any other cases not covered by sub-rule (1), the medical authority shall be a Medical Officer not lower in status than that of a Divisional Medical Officer or a Civil Surgeon, as the case may be.

24. Fee for medical examination to be borne by the applicant.—The applicant shall be required to pay for medical examination such fee as may be specified by the Railway Board.

25. Failure to appear before medical authority.—(1) If the applicant after receipt of communication from the Chief Medical Authority or the medical authority referred to in clause (c) of sub-rule (1) of rule 22 fails to appear for medical examination before the medical authority on the date and time communicated to him (including any change therein either at the request of the applicant or due to administrative reasons) and there is no reasonable ground for his failure, the medical authority shall report the fact to the Head of Office concerned and return to him the documents received under clause (b) of sub-rule (1) of rule 22.

(2) With the return of documents to the Head of Office under sub-rule (1), the application for commutation shall be treated as having been withdrawn.

26. Procedure for Medical Examination.—(1) The medical authority shall—

- (a) obtain from the applicant a statement in Part I of Form 5, duly signed by the applicant in its presence ;
- (b) subject the applicant to medical examination and enter the result thereof in Part II of Form 5 ;
- (c) attest the unattested copy of the photograph of the applicant ;
- (d) complete the certificate contained in Part III of Form 5 :

Provided that where—

- (i) an applicant has been granted invalid pension, or
- (ii) an applicant has previously commuted a part of his pension ; or
- (iii) an applicant has been refused commutation on medical grounds ; or
- (iv) an applicant has declined to accept the commutation on the basis of addition of years to his actual age,

the medical authority shall, before completing the certificate contained in Part III of Form 5, take into consideration the statement of the medical case of the applicant,

(2) After complying with the requirements of sub-rule (1), the medical authority shall without delay forward to the Accounts Officer who has already completed Part IV of Form 3, the following documents, namely :—

- (a) Form 3 in original,
- (b) attested copy of the applicant's photograph,
- (c) Form 5 in original, and
- (d) a certified copy of Form 5 to the Head of Office.

who has countersigned Part IV of Form 3.

(3) The medical authority shall also send to the applicant a certified copy of Part III of Form 5.

27. Second medical examination.—(1) Subject to the provisions of rule 28, the medical examination in the case of an applicant referred to in clause (c) of sub-rule (1) of rule 23 shall take place after the expiry of a period of not less than one year from the date of the first medical examination.

(2) If the applicant desires to be re-examined on the expiry of the period specified in sub-rule (1), the examination shall be by a Medical Board at his own expense. For this purpose, he shall address a letter to the Head of Office with the request that arrangements for his re-examination by a Medical Board may be made. He shall indicate in the letter.

- (i) the medical authority which examined him earlier and the date on which such examination took place,
- (ii) the place where he was examined,
- (iii) the opinion of the medical authority,
- (iv) the date of birth and the date of retirement,
- (v) designation of the post held at the time of retirement,
- (vi) the amount of pension authorised,
- (vii) the fraction of pension which was originally applied for commutation.

(3) The Head of Office on receipt of letter under sub-rule (2) shall address the Chief medical authority for arranging re-examination of the applicant by a Medical Board and forward the following documents to such authority.—

- (i) letter in original received from the applicant.
- (ii) the certified copy of Form 5 received earlier by the Head of Office from the medical authority under clause (d) of sub-rule (2) of rule 26.

(4) The Chief medical authority on receipt of the communication from the Head of Office under sub-rule (3) shall inform the applicant as to where and when he should appear for medical examination before the Medical Board or if necessary direct the

Medical Board to communicate to the applicant the place, date and time of such examination.

(5) The applicant after the receipt of communication under sub-rule (4) shall appear before the Medical Board at the place and on the date and time communicated to him.

(6) The Medical Board shall examine the applicant and if after the examination it is of the view that the earlier opinion of the medical authority needs no revision or modification or needs revision or modification shall record its opinion and communicate the same to the Head of Office under intimation to the applicant. The documents received by the Medical Board under sub-rule (3) shall also be returned to the Head of Office.

(7) If as a result of the opinion of the Medical Board received by the Head of Office under sub-rule (6), the applicant becomes eligible to commute a fraction of pension originally applied for, the Head of Office shall determine the commuted value with reference to the Table applicable on the date, the Medical Board recorded its opinion. The Head of Office thereafter shall request the Accounts Officer to take further action for the authorisation of the commuted value and forward the following documents to him :—

- (i) letter in original received from the applicant under sub-rule (2) ;
- (ii) the opinion of the Medical Board received under sub-rule (6) in original;
- (iii) calculation sheet showing the commuted value determined with reference to the revised or modified opinion of the Medical Board.

(8) The Accounts Officer on receipt of the documents under sub-rule (7) shall verify the correctness of the commuted value determined by the Head of Office and thereafter take action to authorise the commuted value to the applicant under intimation to the Head of Office.

28. Appeal against the findings of medical authority.—(1) Notwithstanding anything contained in rule 27, an applicant referred to in clause (c) of sub-rule (1) of rule 23 shall be eligible for second medical examination before the expiry of the period specified in sub-rule (1) of rule 27 if he feels that the medical authority in refusing commutation on medical grounds or making addition of years to his actual age has committed an error of judgement. Such an applicant may, within one month of the receipt of the certified copy of Part III of Form 5, from the medical authority, prefer an appeal by addressing a letter to the Head of Office that the opinion of the medical authority may be got reviewed by another medical authority mentioned in sub-rule (2) at his own expenses. He shall also indicate in the letter —

- (i) the medical authority which had examined him earlier and the date on which the examination took place;
- (ii) the place where he has examined;

- (iii) the opinion of the medical authority;
- (iv) the date of birth and the date of retirement;
- (v) the designation of the post held at the time of retirement.
- (vi) the amount of pension authorised;
- (vii) the fraction of pension which was originally applied for commutation;

(2) In case an applicant referred to in sub-rule (1) —

- (i) was examined previously by a Medical Officer, not lower in status than a Divisional Medical Officer or Civil Surgeon he shall be re-examined by a Medical Board, or
- (ii) was previously examined by a Medical Board, shall be re-examined by a second Medical Board, the members of which shall be different from those of the first Medical Board.

(3) The Head of Office shall, within one month of the receipt of letter under sub-rule (1), take steps for arranging the re-examination of the applicant. For this purpose, he shall address the Chief Medical Authority, where the applicant was examined previously. He shall, while addressing the Chief Medical Authority invite his attention to the provisions of sub-rule (2) and forward to it the following documents :—

- (i) letter received from the applicant in original.
- (ii) certified copy of Form 5 received earlier by the Head of Office from the medical authority under clause (d) sub-rule (2) of rule 28.

(4) The Chief Medical Authority on receipt of communication from the Head of Office under sub-rule (3) shall arrange for the second medical examination of the applicant by a Medical Board which shall be constituted in accordance with the provisions of sub-rule (2). The Chief Medical Authority, shall thereafter inform the applicant as to where and when he should appear for medical examination before the Medical Board or if necessary direct the Medical Board to communicate to the applicant the place, date and time of such examination.

(5) The applicant on receipt of the communication under sub-rule (4) shall appear for the medical examination before the Medical Board on the date and time, communicated to him.

(6) The Medical Board shall examine the applicant and if after the examination, it is of the view that the earlier opinion of the medical authority needs no revision or modification or needs revision or modification shall record its opinion and communicate the same to the Head Office under intimation to the applicant and the findings of the Medical Board shall be binding on the applicant.

(7) If the Medical Board as a result of the second medical examination of the applicant, sets aside or modifies the opinion of the first medical authority, the findings of the Medical Board shall be

deemed to have come into force on the date on which the first medical authority recorded its opinion and the claim of the applicant for commutation shall be settled accordingly.

(8) Nothing contained in this rule shall apply to an applicant in whose case the medical authority as a result of the first medical examination had directed that the applicant's age for the purpose of commutation should be assumed to be greater than his actual age and the applicant received the commuted value with reference to the enhanced age.

29. Withdrawal of application.—(1) The applicant may after giving notice in writing, to the Head of Office, withdraw his application at any time before subjecting himself to medical examination before the medical authority but in no case after he has appeared before such authority.

(2) In case the medical authority directs that the applicant's age for the purpose of commutation shall be assumed to be greater than his actual age, the applicant may, —

- (a) by giving notice in writing to the Head of Office withdraw his application within fourteen days from the date on which he receives the certified copy of Part III of Form 5 and endorse a copy of notice to the Accounts Officer, or
- (b) request the Head of Office within the period specified in clause (a) under intimation to the Accounts Officer that he may be permitted to reduce the amount of pension already applied for commutation to an amount to be indicated by the applicant.

(3) Where a request for withdrawal has not been made by the applicant within the time specified in clause (a) of sub-rule (2), it shall be presumed that he has accepted the findings of the medical authority and the Accounts Officer shall take action to authorise the payment of commuted value of pension.

(4) If a request for reduction in the amount of pension to be commuted is made as provided in clause (b) of sub-rule (2) the Accounts Officer shall authorise the payment of commuted value of pension with reference to the reduced amount.

(5) If the applicant is informed by the Accounts Officer under rule 30 that on account of modification of the Table, the commuted value becoming payable to the applicant will be less than the value communicated to him in Form 4, it shall be open to the applicant to withdraw his application by a written notice addressed to the Accounts Officer and the applicant shall endorse a copy of the notice to the Head of Office within fourteen days of the date on which he receives intimation of such modification.

30. Modification in the value specified in the Table.—(1) In case the value specified in the Table is modified at any time before the commutation becomes absolute in terms of clause (ii) of sub-rule (1) of rule 7, the payment shall be made in accordance with the value so modified.

(2) Where the commuted value calculated with reference to the Table as modified, is less favourable than the value determined with reference to the

Table before it was so modified the Accounts Officer shall —

- (a) inform the applicant of the revised value and communicate to him the provisions of sub-rule (5) of rule 29, and
- (b) endorse to the Head of Office a copy of the communication issued under clause (a).

31. Authorisation of payment of commuted value by the Accounts Officer.—(1) Subject to the provisions of sub-rule (2) and sub-rule (3) of rule 29, the Accounts Officer on receipt of the documents referred to in sub-rule (2) of rule 26, from the medical authority, shall without delay issue an order to the disbursing authority concerned and furnish to it the following particulars and documents, namely :—

- (i) the amount of pension commuted, the amount of commuted value of pension and the date on which the commutation became absolute,
- (ii) the amount of residuary pension,
- (iii) Form 5 in original,
- (iv) copy of the applicant's photograph as attested by the medical authority.

(2) The Accounts Officer shall also —

- (a) bring to the notice of disbursing authority the provisions of the proviso to sub-rule (1) of rule 7 regarding the date on which the amount of original pension should be reduced,
- (b) endorse to the applicant a copy of the order issued under sub-rule (1) with the remarks that he should collect the commuted value from the disbursing authority; and
- (c) bring to the notice of the applicant the provisions of the proviso to sub-rule (1) of rule 7.

32. Final assessment of provisional pension.—(1) An applicant referred to in sub-rule (3) of rule 10 to whom the commuted value of the fraction of the provisional pension has been paid by the Head of Office, shall, on final assessment of the pension, be paid by the Accounts Officer, the difference between the commuted value so determined and the commuted value already paid :

Provided that where an applicant has been examined by a Medical Officer for the commutation of a fraction of provisional pension and such an applicant assessment of final pension becomes eligible to commute and amount exceeding one hundred rupees per mensem, he shall be allowed the difference between the commuted value of one hundred rupees per mensem and the commuted value of the fraction of the provisional pension without further medical examination but the payment of the commuted value of pension exceeding one hundred rupees per mensem shall be made if the applicant applies afresh for medical examination as provided in clause (c) of sub-rule (3) of rule 10 and he is declared fit by the Medical Board.

(2) The commuted value of the fraction of provisional pension as indicated in the endorsement in Form 4 addressed to the applicant and forwarded under sub-rule (4) of rule 21 shall be deemed to have been amended with the issue of an authority by the Accounts Officer for the payment of difference between the commuted value of the fraction of the final pension and the fraction of the provisional pension.

CHAPTER V

MISCELLANEOUS

33. Interpretation.—Where any doubt arises as to the interpretation of these rules, it shall be referred to the Ministry of Railways (Railway Board) for decision.

34. Power to relax.—Where any of the Railway Establishment or Unit is satisfied that the operation of any of these rules causes undue hardship in any particular case, that Establishment or Unit, as the case may be, may, by order for reasons to be recorded in writing, approach the Ministry of Railways for dispensing with or relaxing the requirements of that rule to such extent and subject to such exceptions and conditions, as it may consider necessary for dealing with the case in a just and equitable manner. The Ministry of Railways (Railway Board) shall examine each such case and arrange to communicate the sanction of the President to the proposed dispensation or relaxation as it may consider necessary keeping in view the merits of each case and keeping in view any other statutory provisions.

Provided that no such order shall be made except with the concurrence of the Department of Pension & Pensioners Welfare, in the Ministry of Personnel, Public Grievances and pensions, Government of India.

35. Repeal and Saving.—(1) On the commencement of these rules, every rule (including Railway Establishment Code, fifty Reprint) those contained in Volume II of the Indian regulation or order (hereinafter referred to in this rule as the old rules) in force immediately before such commencement shall, in so far as it provides for any of the matters contained in these rules, cease to operate.

(2) Notwithstanding such cesser of operation—

- (a) any application for commutation of pension which is pending before the commencement of these rules shall be disposed of in accordance with the provisions of the old rules as if these rules had not been made, and
- (b) subject to the provisions of clause (a), anything done or any action taken under the old rules shall be deemed to have been done or taken under the corresponding provisions of these rules.

TABLE

Commutation value for a pension of rupee one per annum.

[See rule 9, 27(7), 29(5), and 30(1) and (2)]

Age next Birth day	Commutation value expressed as number of years' purchase		Age next birthday	Commutation value expressed as number of years' purchase.	
1	2		3	4	
	Rs.	P.		Rs.	P.
17	19	28	52	12	66
18	19	20	53	12	35
19	19	11	54	12	05
20	19	01	55	11	73
21	18	91	56	11	42
22	18	81	57	11	10
23	18	70	58	10	78
24	18	59	59	10	46
25	18	47	60	10	13
26	18	34	61	9	81
27	18	21	62	9	48
28	18	07	63	9	15
29	17	93	64	8	82
30	17	78	65	8	50
31	17	62	66	8	17
32	17	46	67	7	85
33	17	29	68	7	53
34	17	11	69	7	22
35	16	92	70	6	91
36	16	72	71	6	60
37	16	52	72	6	30
38	16	31	73	6	01
39	16	09	74	5	72
40	15	87	75	5	44
41	15	64	76	5	17
42	15	40	77	4	90
43	15	15	78	4	65
44	14	90	79	4	40
45	14	64	80	4	17
46	14	37	81	3	94
47	14	10	82	3	72
48	13	82	83	3	52
49	13	54	84	3	32
50	13	25	85	3	13
51	12	95	—	—	—

FORM I

PART-I

Form of application for commutation of a fraction of

Pension without medical examination.

[See rules 6(2), 7(1), 13, 14(1) and (2), 15(1) and (2), 16(1), and (2) and 17(1) and (2)]

(To be submitted in duplicate after retirement but within one year of the date of retirement).

To

The.....(Here indicate the designation
.....and full address of the Head
.....of Office).

Subject : Commutation of pension without medical examination.

Sir,

I desire to commute a fraction of my pension as indicated below in accordance with the provisions of the Railway Services (Commutation of Pension) Rules, 1993. The necessary particulars are furnished below :—

1. Name (in Block letters).
2. Father's name (also husband's name in the case of a female railway servant).
3. Designation at the time of retirement.
4. Name of Office/Department/Ministry in which employed.
5. Date of birth (by Christian era).
6. Date of retirement.
7. Class of pension on which retired.
8. Amount of pension authorised. (in case final amount of pension has not been authorised, indicate the amount of provisional pension sanctioned under rule 91 of the Railway Services (Pension) Rules, 1993).
9. *Fraction of pension proposed to be commuted.
10. Designation of the Accounts Officer who authorised the pension and the No. and date of the Pension Payment Order, if issued.
11. **Disbursing authority for payment of pension :
 - (a) Treasury/Sub-Treasury (Name and complete address of the Treasury/Sub-Treasury to be indicated).
 - (b) (i) Branch of the Nationalised Bank with complete postal address.
 - (ii) Bank Account No. to which monthly pension is being credited each month.
 - (c) Accounts Office of the Ministry/Department/Office.
 - (d) (i) Branch of the Post Office with complete postal address.
 - (ii) Post Office Account Number to which monthly Pension is being credited each month.

Place .

Date :

Signature
Postal Address

NOTE : The payment of commuted value of pension shall be made through the disbursing authority from which pension is being drawn.

It is not open to an applicant to draw the commuted value of pension from a disbursing authority other than the disbursing authority from which pension is being drawn.

* The applicant should indicate the fraction of the amount of monthly pension (subject to maximum of one-third thereof) which he desires to commute and not the amount in rupees.

** Score out which is not applicable.

PART-II

ACKNOWLEDGEMENT

Received from Shri _____
Name (former designation)

application in Part I of Form I for the commutation of a fraction of pension without medical examination.

Place : _____

Date : _____

Signature
Head of Office

NOTE : This acknowledgement is to be signed, stamped and dated and is to be detached from the Form and handed over to the applicant. If the form has been received by the post, it has to be acknowledged on the same day and the acknowledgement sent under registered cover.

PART III

Forwarded to the Accounts Officer _____
(here indicate the address and designation)

With the remarks that —

- (i) the particulars furnished by the applicant in Part I have been verified and are correct;
- (ii) the applicant is eligible to get a fraction of his pension commuted without medical examination;
- (iii) the commuted value of pension determined with reference to the Table applicable at present comes to Rs. _____.
- (iv) the amount of residuary pension after commutation will be Rs. _____.

2. It is requested that further action to authorise the payment of the amount of commuted value of pension may be taken as in rule 16 of the Railway Services (Commutation of Pension) Rules, 1993.

3. The receipt of Part I of the Form has been acknowledged in Part II which has been forwarded separately to the applicant on _____.

4. The commuted value of pension is debitable to Head of Account

Signature
Head of Office

Place :

Date :

FORM 2

(c) Account Office of the Ministry|Department|
Office.....

FORM OF APPLICATION FOR COMMUTA-
TION OF A FRACTION OF SUPERANNUATION
PENSION WITHOUT MEDICAL EXAMINATION
WHEN APPLICANT DESIRES THAT THE
PAYMENT OF THE COMMUTED VALUE OF
PENSION SHOULD BE AUTHORISED
THROUGH THE PENSION PAYMENT ORDER

(See Rules 6(2), 13, 14(3), 15(1) and 18(3)
(To be submitted in duplicate at least three months
before the date of retirement)

PART I

The
.....
.....
.....

(Here indicate the designation and full address of
the Head of Office)

Subject :—Commutation of Pension without medical
examination.

Sir,

I desire to commute a fraction of my pension in
accordance with the provisions of the Railway Ser-
vices (Commutation of Pension) Rules, 1993. The
necessary particulars are furnished below :—

1. Name in block letters.
2. Father's name (and also husband's name
in the case of a female Government
servant).....
3. Designation.....
4. Name of Office|Department|Ministry in
which employed.....
5. Date of Birth (by Christian era).....
6. Date of retirement on superannuation or
on the expiry of extension in service grant-
ed under Rule 1801 Indian Railway Esta-
blishment Code.
- *7. Fraction of superannuation pension pro-
posed to be commuted
- †8. Disbursing authority from which pension
is to be drawn after retirement—

(a) Treasury|Sub-Treasury. (Name and com-
plete address of the Treasury|Sub-Trea-
sury to be indicated)

*The applicant should indicate the fraction of the
amount of monthly pension (subject to a maximum
of one-third thereof) which he/she desires to com-
mute and not the amount in rupees.

†Score out which is not applicable.

- (b) (i) Branch of the nominated nationalised
bank with complete postal address....
(ii) Bank Account No. to which monthly
pension is to be credited each month

Signature
Present Postal Address

Postal address after retirement

Place :

Date :

PART II

ACKNOWLEDGEMENT

Received from Shri|Smt.|Kumari
(name) (designation)

application in Part I of Form 2 for commutation of a
fraction of pension without medical examination.

Place :

Date :

Signature
Head of Office

NOTE.—If the application has been received by
the Head of Office before the date of retirement on
superannuation, this acknowledgement should be de-
tached from the Form and handed over to the appli-
cant. If the form has been received by post, it has
to be acknowledged on the same day and the ac-
knowledgement sent under registered cover to the
applicant. In case it is received after the specified
date, it should be accepted only if it has been put
into the post on or before that date subject to the
production of evidence to that effect by the applicant.

PART III

Forwarded to the Accounts Officer.
(here indicate the address and designation).....
with the remarks that —

- (i) the particulars furnished by the applicant
in Part I have been verified and are
correct;
- (ii) the applicant is eligible to get a fraction
of his pension commuted without medical
examination;
- (iii) the commuted value of pension determined
with reference to the Table applicable at
present comes to Rs.and
- (iv) the amount of residuary pension after com-
mutation will be Rs.....

2. The pension papers of the applicant completed
in all respects were forwarded under this Ministry|
Department|Office Letter No..... dated.....
It is requested that the payment of commuted value
of pension may be authorised through the Pension
Payment Order which may be issued one month be-
fore the retirement of the applicant.

3. The receipt of Part I of this Form has been
acknowledged in Part II which has been forwarded
separately to the applicant on.....

4. The commuted value of pension is debitable to Head of Account.....

Place :

Date :

Signature
Head of Office

FORM 3

FORM OF APPLICATION FOR COMMUTATION OF PENSION AFTER MEDICAL EXAMINATION BY AN APPLICANT REFERRED TO IN RULE 20 OF THE COMMUTATION OF PENSION RULES

[See Rules 6(2), 10(3), 14(2), 15(2), 20, 21(1), (2) and (3), 22(1) and 26(2)]

(To be submitted in duplicate)

SPACE FOR
PHOTOGRAPH

To

The.....
.....

(Here indicate the designation and full address of the Head of Office).

Subject : Commutation of pension after medical examination.

Sir,

I desire to commute a fraction of my pension in accordance with the provisions of the Railway Services (Commutation of Pensions) Rules, 1993. An attested copy of my photograph is pasted on the application and an unattested copy is enclosed. The necessary particulars are furnished below :—

1. Name (in block letters).
2. Father's name (and also husband's name in the case of a female Railway servant).
3. Designation.
4. Name of Office|Department|Ministry in which employed.
5. Date of birth (by Christian era).
6. Date of retirement.
7. Class of Pension on which retired.
(See Chapter V of the Railway Services Pension Rules, 1993).
8. Amount of pension authorised (indicate the amount of provisional pension if full pension not authorised).
9. *Fraction of pension proposed to be commuted.
10. Designation of the Accounts Officer who authorised the pension and the number and date of the Pension Payment Order.
11. **Disbursing authority for payment of Pension—
(a) Treasury|Sub-Treasury (name and complete address of the Treasury|Sub-Treasury to be indicated).
(b) (i) Branch of the Nationalised Bank with complete postal address.

(ii) Bank Account No. to which monthly pension is being credited each month.

(c) Accounts Office of the Ministry|Department|Office.

(d) (i) Branch of the Post Office with complete postal address.

(ii) Post Office Account number to which monthly pension is being credited every month.

12. Approximate date from which commutation is desired to have effect.

13. The amount of pension already commuted, if any.

14. Preference for station where medical examination is desired to take place.

Place :

Date :

Signature

Postal Address _____

*The applicant should indicate the fraction of the amount of monthly pension (subject to a maximum of one-third thereof) which he desired to commute and not the amount in rupees.

**Score out which is not applicable.

NOTE :—The payment of commuted valued of pension shall be made through the disbursing authority from which pension is being drawn. It is not open to an applicant to draw the commuted value of Pension from the disbursing authority other than the authority from which pension is being drawn.

PART II

ACKNOWLEDGEMENT

Received from Shri _____

(Name) (Designation)

application in Part I of Form 3 for commutation of a fraction of pension after medical examination.

Place :

Date :

Signature
Head of Office

PART III

Forwarded to the Accounts Officer _____

(address & designation)

_____ with the remarks that the particulars furnished by the applicant in Part I have been verified and are correct and the applicant is eligible to get a fraction of his pension commuted after medical examination.

2. It is requested that Part IV of the Form may be completed and returned to this office as early as possible.

Signature
(Head of the Office)

Place :

Date :

PART IV

(To be completed by the Accounts Officer)

1. Name of the applicant
2. Date of Birth (by Christian era)
3. Date of retirement
4. Amount of pension including provisional pension, if final pension not authorised
5. Class of Pension [See Chapter V of the Railway Services (Pension) Rules, 1993]
6. Amount of Pension desired to be commuted

On the basis of

Normal Age	Added Years	
	1 Year	2 Years
Rs.	Rs.	Rs.

7. (i) Sum payable if commutation becomes absolute before the applicant's next birth day, which falls on—
- (ii) Sum payable if commutation becomes absolute after the applicant's next birth day which falls on—

8. The Head of Account to which commuted value is debitable

9. Number of enclosures, if any
(See note below)

Place—

Date—

Signature & Designation
of the Accounts OfficerCountersigned
(Head of Office)
Full Address

NOTE.—The Accounts Officer should enclose with the Form a copy of the report or statement of the applicant's case if the applicant has been granted invalid pension or has previously commuted a part of his pension or declined to accept commutation on the basis of an addition of years to actual age, or has been refused commutation on medical grounds.

FORM 4

FORM OF LETTER TO THE CHIEF ADMINISTRATIVE MEDICAL AUTHORITY

[See rules 21(3) and (4) and 29(5) and 32(2)]
(Please see Annexure)

No. _____
Government of India
Ministry of _____
Department of _____
Dated the _____

To, _____

Subject :—Medical Examination—Commutation of Pension

Sir,

Shri _____ who retired _____ from service _____ as _____ (Designation)

has applied for commuting a fraction of his pension for a lumpsum payment. The following documents are forwarded herewith :—

- (a) Application in Form 3 in original together with—
 - (i) an unattested copy of the applicants photograph.
 - (ii) Part IV of Form 3 in original duly completed by the Accounts Officer.
- (b) A copy of Form 5 with a spare copy of Part III of that Form.
- (c) Report or the statement of the applicant's case if he has been granted invalid pension or has previously commuted a fraction of his pension or declined to accept commutation on the basis of addition of years to his actual age or has been refused commutation on medical grounds.

2. In terms of Rule 23 of the Railway Services (Pension) Rules, 1993, Shri _____ should be examined by a Medical Board/Medical Officer not lower than the rank of Civil Surgeons or a District Medical Officer. It is requested that arrangements may be made to get Shri _____ examined as expeditiously as possible before his next birthday which falls on _____.

3. It is requested that arrangements for medical examination by the medical authority indicated in para 2 above may be made at the nearest available station mentioned, by Shri _____ in his application in Form 2. The attention of the medical authority may be drawn to the provision, of rule 26 of the Railway (Commutation of Pension) Rules, 1993.

4. It is requested that Shri _____ may be informed direct under intimation to this Ministry/Department/Office as to where and when he should appear before the appropriate authority for medical examination. A copy of this letter is being endorsed to him so that he may comply with your instructions on hearing from you.

5. The receipt of this letter may please be acknowledged.

Yours faithfully,
(Head of Office)

Copy forwarded to Shri _____
(give complete postal address)

_____ with the remarks that subject to the medical authority recommending commutation, he will on the basis of the report of the Accounts

Officer, be eligible for lumpsum payment in lieu of the amount of pension to be commuted as follows :—

On the basis of

	Normal Age	Added Years	
		1 Year	2 Year
	Rs.	Rs.	Rs.
(i) sum payable if commutation becomes absolute before the applicants next birthday which falls on—			
(ii) sum payable if commutation becomes absolute after applicant's next birthday which falls on—			

The Table of the present value, on the basis of which the calculation by the Accounts Officer has been made is subject to alteration at any time without notice and consequently the basis are liable to revision before payment is made. The sum payable will be on the sum appropriate to the applicant's age on his birth day next after the date on which the commutation becomes absolute or if the medical authority directs that years will be added to that age, to the consequent assumed age.

Shri— should report for medical examination to the medical authority direct on hearing from—. He should take with him the enclosed Form 5 with the particulars required in

Part I completed except the signature or thumb or finger impression.

Place—

Date—

Signature
Head of Office

Copy forwarded to the Accounts Officer (here indicate designation and address) with referencet to his letter number dated.

Signature
(Head of Office)

FORM 5

MEDICAL EXAMINATION BY THE—

(Here enter the medical authority)

(See rule 7(1), 21(3), 26(1), (2) and (3), 27(3), 28(1) and (3), 29(2) & 31(1))

PART I

The applicant must complete this statement prior to his examination by the—

(here enter the medical authority) and must sign the declaration appended thereto in the presence of that authority.

1. Name of the applicant (in block letters)

2. Date of Birth (by Christian era)

3. Place of Birth

4. Particulars regarding parents, brothers and sisters :—

Father's age if living & state of health	Father's age at death & cause of death	Number of brothers living, their ages & state of health	Number of brothers dead, their ages at death & cause of death	Mother's age, if living and state of health	Mother's age at death and cause of death	No. of sisters living, their ages & state of health	No. of sisters dead their ages at death and cause of death
1	2	3	4	5	6	7	8

5. Have you ever been examined :—

(a) for Life Insurance, or/and

(b) by any Railway/Government Medical Officer or State Medical Board. If so, state details and with what results.

6. Have you been granted or considered for grant of invalid pension ? If so, state the ground thereof.

7. Have you ever been granted leave on Medical certificate during the last five years ? If so, state periods of leave and nature of illness.

8. Have you ever —

(a) had Small-Pox, intermittent or any other fever, enlargement or suppuration of glands, spitting asthma, inflammation of lungs, pleurisy, heart disease, fainting, attacks, rheumatism, appendicitis, epilepsy, insanity or other nervous disease, discharge from or other disease of the ear, syphilis, or gonorrhoea; or

(b) had any other disease or injury which required confinement to bed, or medical or surgical treatment, or

- (c) undergone any surgical operation, or
 (d) suffered from any illness, wound or injury sustained while on active service.
 (e) Presence of albumen or sugar in urine.
9. Present state of health :
- (a) Have you a hernia ?
 (b) Have you varicocele, varicose veins or piles ?
 (c) Is your vision in each eye good (with or without glasses) ?
 (d) Is your hearing in each ear good ?
 (e) Have you any congenital or acquired malformation, defect or deformity ?
 (f) Have you lost or gained weight markedly during the last three years ?
 (g) Have you been under treatment of any doctor within the last three months and nature of illness for which such treatment was taken.

DECLARATION BY APPLICANT

(To be signed in the presence of medical authority)

I declare all the above answers to be, to the best of my belief, true and correct.

I am fully aware that by wilfully making a false statement or concealing a relevant fact I shall incur the risk of losing the commutation I have applied for and of having my pension withheld or withdrawn under rule 8 of the Railway Services (Pension) Rules, 1993.

Applicant's signature or
thumb impression in
case of illiterate appli-
cant.

Signed in the presence of

(Signature & designation of
medical authority).

PART II

(To be filled in by the examining medical authority)

1. Apparent age
 2. Height
 3. Weight
 4. Describe any scars or identifying marks of the applicant
 5. Pulse rate —
 (a) Sitting
 (b) Standing
 What is the character of pulse ?
 6. Blood pressure —
 (a) Systolic
 (b) Diastolic
 7. Is there any evidence of disease of the main organs —
 (a) Heart

- (b) Lungs
 (c) Liver
 (d) Spleen
 (e) Kidney
8. Investigations —
 (i) Urine
 (State specific gravity)
 (ii) Blood
 (iii) X-Ray Chest
 (iv) E.C.G.
9. Has the applicant a hernia ?
 (If so, state the kind and if reducible)
10. Any additional finding

PART III

(To be filled in by the examining medical authority)

I/We have carefully examined Shri/Shrimati/Kumari and am/are of opinion that :—

He/She is in good bodily health and has the prospect of an average duration of life.

Or

He/She is not in good bodily health and is not a fit subject for commutation.

Or

Although he/she is suffering from he/she is considered a fit subject for commutation but his/her age for the purpose of commutation, i.e. the age next birthday should be taken to be (in words) years more than his/her actual age.

Signature and designation of
examining medical authority.

Station.....

Dated.....

PROFORMA

[See decision (2), Rule 11]

.....

Subject :—Restoration of commuted portion of pension after 15 years—Implementation of the judgement of the Supreme Court.

Sir,

Kindly restore my commuted portion of pension in terms of Ministry of Personnel, Public Grievances and Pension, Department of Pension and Pensioners' Welfare O.M. No. 34/2/86-P&W, dated 5th March, 1987 forwarded under Ministry of Railways' letter No. F(E)III/87/AN/1/7 dated 26-3-1987.

Requisite particulars are given below :—

1. Name in Block letters
 2. Date of retirement.
 3. Pc/PPO No.

4. Amount of original pension.
5. Amount of pension commuted, if any.
6. Name of the Accounts Officer, Viz., the authority who issued PC/PPO.
7. Name of the Treasury/Post Office/PPM other pension disbursing agency.

Signature of Pensioner

Dated :

Postal address:

Particulars verified.

Signature
Rubber Stamp of
Pension Disbursing Authority

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Railway Services (Extraordinary Pension) Rules, 1993.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application.—These rules shall apply to all railway servants, other than those to whom the Workmen's Compensation Act, 1923 (8 of 1923), applies, whether their appointment is permanent or temporary, on time-scale of pay or fixed pay or piece-work rates who are under the rule making control of the President, and

who entered or enter railway service on or after the 1st April, 1937, or

who having entered such service before the 1st April, 1937, did not hold a lien or a suspended lien on a permanent post on that date.

NOTE :—No award shall be made under these rules in respect of a railway servant who is deputed on foreign service under United Nations' bodies on or after 1st January, 1958 and who is allowed to join the United Nations' Joint Staff Pension Fund as an 'Associate Member'.

3. For the purpose of these rules, unless there is anything repugnant in the subject or context,—

(1) "accident" means—

- (i) a sudden and unavoidable mishap ; or
- (ii) a mishap due to an act of devotion to duty in an emergency arising otherwise than by violence out of and in the course of service ;

(2) "date of injury" means—

- (i) in the case of accident or violence, the actual date on which the injury is suffered or such date, not being later than the date of the report of the

Medical Board, as the President may fix ; and

(ii) in the case of disease, the date on which the Medical Board reports or such earlier date as may be fixed by the President with due regard to the opinion of the Medical Board ;

(3) "injury" means an injury as is mentioned in Schedule I, Permanent Total Disablement shall be deemed to result from every injury specified in Part I of Schedule I or from any combination of injuries specified in Part II of that Schedule where the aggregate percentage of loss of earning capacity (percentage of disability) amounts to hundred per cent or more. Every injury specified in Part II of Schedule I shall be deemed to result in Permanent Partial Disablement.

(4) "disease" means a disease as is mentioned in Schedule II ;

(5) "Pay" means basic pay as defined in clause (i) of rule 1303 of the Indian Railway Establishment Code which a person was drawing on the date of his death or injury and also includes non-practising allowance granted to Medical Officers in lieu of Private Practice ;

Provided that in the case of a person remunerated by piece-work rates, pay means the average earnings of the last six months ending with the date of his death or injury ;

(6) "Schedule" means a schedule annexed to these rules ;

(7) "Violence" means the act of a person who inflicts an injury on a railway servant—

(i) by assaulting or resisting him in the discharge of his duties, or in order to deter or prevent him from performing his duties ; or

(ii) because of anything done or attempted to be done by such railway servant or by any other public servant in the lawful discharge of his duty as such, or

(iii) because of his official position,

4. (1) (a) Disablement shall be accepted as due to railway service provided that it is certified that it is due to wound, injury or disease which—

(i) is attributable to railway service, or

(ii) existed before or arose during railway service and has been and remains aggravated thereby.

(b) Death shall be accepted as due to railway service provided it is certified that it was due to or hastened by—

(i) a wound, injury or disease which was attributable to railway service, or

- (ii) the aggravation by railway service of a wound, injury or disease which existed before or arose during railway service.

(2) There shall be a casual connection between :—

- (a) disablement and railway service,
(b) death and railway service,

for attributability or aggravation to be conceded. Guidelines in this behalf, as provided in the Appendix appended to these rules shall be treated as part and parcel of these rules.

Clarification.—It will be seen from the new (revised) Forms C, D and E that these forms of medical certificates have been so designed that they would indicate whether the entitlement criteria laid down in rule 4 have been satisfied or not, and therefore, normally, no other separate certificates in that behalf may be necessary. It is essential for the Administrative Officer as well as the Accounts Office concerned to satisfy themselves that the death or disability is, in fact, attributable to or aggravated by the Railway service which alone makes an Extra Ordinary Pension Award admissible and for that purpose, it is essential for both of these authorities to satisfy themselves in that behalf and certify the nexus and casual connection between disablement and railway service or between death and railway service (as the case may be), in any particular case, as laid down in the rule 4 on the basis of the medical and other documents regarding the case. If a railway servant had died in such circumstances and that a medical report could not be secured, even then, the nexus and the casual connection between death and railway service has to be established before conceding acceptance of death due to Government service. (Railway Board's letter No. PC III/78/EOP/3/Main dated 18-12-1981).

(3) Notwithstanding anything contained in these rules, the degree of default or contributory negligence on the part of a railway servant may be taken into consideration in making an award under these rules in favour of such railway servant, but, shall not be taken into account where such award is made in favour of the family of the such railway servant.

NOTE.—The provisions of this rule shall cover cases of death after discharge or invalidating from service.

5. No award shall be made under these rules except with the sanction of the President.

6. Except as otherwise provided in these rules, an award made under these rules shall not affect any other pension or gratuity for which the railway servant concerned or his family may be eligible under any other rules for the time being in force; and the pension granted under the provision of these rules shall not be taken into account for fixing the pay of pensioner in his continued employment or re-employment in railway service.

7. No award under these rules shall be made in respect of—

- (i) an injury sustained more than five years before the date of application, or
(ii) death which occurred more than seven years—
(a) after the injury due to violence or accident was sustained; or
(b) after the railway servant was medically reported as unfit for duty on account of the disease of which he died.

8. All awards under these rules shall be made in India in rupees unless the payee resides permanently and desires payment to be made in a country in which the rupee is not legal tender. In the latter case, the amount of award shall be paid in sterling at the exchange rate of 1s 6d to the rupee.

9. (1) The percentage of disability due to an injury or injuries shall be as specified in Schedule I, or failing that, as certified by the Medical Authority.

(2) The percentage of disability due to a disease or diseases specified in Schedule II,

shall be as certified by the Medical Authority.

10. (1) When disablement of a railway servant is conceded as due to railway service in terms of Rule 4, he shall be awarded disability pension in terms of sub-rule (2) or (3) or lump sum compensation in terms of sub-rule (4) in accordance with the percentage of disability (suffered by him) as certified by the Medical Authority concerned.

(2) If the railway servant is boarded out of railway service on account of his disablement, the quantum of disability pension for cent per cent disability shall be as specified in Schedule III. The quantum of disability pension for lower percentage of disability shall be proportionately lower, the minima and the maxima given in Schedule III are applicable only for arriving at the monthly disability pension for cent per cent disability and are not applicable in respect of percentage of disability lower than cent per cent.

(3) If the railway servant is boarded out of railway service on account of such disablement, and further, if the percentage of his permanent disability as certified by the Medical Authority is not less than 60 per cent, his monthly disability pension shall be related to the family pension admissible to the widow (as if he had died instead of being disabled).

(4) If the railway servant is retained in service in spite of such disablement, he shall be paid a compensation in lump sum (in lieu of the disability pension) on the basis of the disability pension admissible to him in accordance with the provision of sub-rule (2), by arriving at the capitalized value of such disability pension with reference to the Commutation Table, in force from time to time.

11. When death of a railway servant is conceded as due to railway service in terms of rule 4, his widow

and children shall be awarded pensionary benefits in accordance with schedule IV.

Note.—If a Railway servant dies leaving behind two or more widows, the pension admissible under this rule to the widow shall be divided equally among all the widows.

12. (1) If the deceased railway servant has left neither a widow nor a child, an award may be made to his father and his mother individually or jointly and in the absence of the father and the mother to minor brothers and sisters, individually or collectively, if they were largely dependent on the railway servant for support and are in pecuniary need;

Provided that the total amount of the awards shall not exceed one half of the pension that would have been admissible to the widow under Rule 11.

Provided further that each minor brother's and sister's share shall not exceed the amount of pension specified in Schedule IV for a "Child who is not motherless."

(2) Any award made under sub-rule (1), shall, in the event of an improvement in the pecuniary circumstances of the pensioner, be subject to review in such manner as the President may by order prescribe.

Note.—If any of the widows, children, father, mother, minor brothers or sisters is denied any share in the property of the railway servant under a will or deed made by him, such person shall be ineligible to receive any award under these rules and the benefit shall pass on to the next person eligible.

13. (1) A family pension shall take effect from the day following the death of the railway servant or from such other date as the President may decide.

(2) A family pension shall ordinarily be tenable—

- (i) in the case of a widow or mother until death or remarriage, whichever occurs earlier;
- (ii) in the case of minor son or minor brother, until he attains the age of twenty five years;
- (iii) in the case of an unmarried daughter or minor sister, until marriage or until she attains the age of twenty five years whichever occurs earlier;
- (iv) in the case of a father, life.

Note.—The family pension of a widow shall cease on re-marriage; but when such re-marriage is annulled by divorce, desertation or death of the second husband, her pension may be restored upon proof that she is in necessitous circumstances and otherwise deserving.

14. Notwithstanding anything contained in clause (1) of sub-rule (2) of rule 13, a widow of an employee who re-marries her deceased husband's brother and continue to live a communal life with, or contributes to the support of the other dependents of the

deceased shall not be disqualified for the grant of extraordinary pension, otherwise admissible to her under these rules.

15. (1) In respect of matters of procedure, all awards under these rules are subject to any procedure rules relating to ordinary pensions for the time being in force, to the extent that such procedure rules are applicable and are not inconsistent with these rules.

(2) When a claim for any disability pension or family pension arises, the Head of the Office or the Department in which the injured or the deceased railway servant was employed shall forward the claim through the usual channel to the Railway Board with the following documents :—

- (i) a full statement of circumstances in which the injury was received, the disease was contracted or the death occurred.
- (ii) the application for disability pension in Form 'A' or as the case may be, the application for family pension in Form 'B' set forth in Schedule V.
- (iii) in the case of any injury of railway servant or one who has contracted a disease, a medical report in Form 'C' set forth in Schedule V. In the case of a diseased railway servant a medical report as to the death or reliable evidence as to the actual occurrence of death if the railway servant lost his life in such circumstances that a medical report cannot be secured;
- (iv) a report of the Accounts Officer concerned as to whether an award is admissible under the rules and, if so, of what amount.

(5) Where the Railway Board is satisfied on the evidence placed before it by a railway servant in respect of whom a medical report for the purpose of grant of disability or other extraordinary pension has been received by it, of the possibility of an error of judgement in the decision of the Medical Board which examined him, the Railway Board may direct a second Medical Board consisting of members other than those constituted the first Medical Board to examine the officer and submit a report to the Railway Board in the matter; pension shall be granted to the officer in accordance with the decision of the second Medical Board.

16. Application of orders and circulars not barred.—The provisions of these rules shall be in addition to, and not in derogation of, the provisions of any order or circular issued by the Railway Board and for the time being in force.

17. Repeal and Saving.—On the commencement of these rules, every rule (including those contained in volume II of the Indian Railway Establishment Code, Fifth Reprint) in force immediately before such commencement shall, in so far as it provides for any of the matters contained in these rules, cease to operate.

APPENDIX

[See rule 4(2)]

Guidelines for conceding attributability of disablement or death to Railway Service

1. In deciding on the issue of entitlement, all the evidence (both direct and circumstantial) shall be taken into account and the benefit of reasonable doubt shall be given to the claimant. This benefit shall be given more liberally to the claimant in field service cases.

2. Post-discharge claims.—Cases in which a disease did not actually lead to the railway servant's discharge from service but arose within seven years thereafter, may be recognised as attributable to service if it can be established medically that the disability is a delayed manifestation of a pathological process set in motion by service conditions obtaining prior to discharge and that if the disability had been manifest at the time of discharge, the individual would have been invalided out of service on this account. In cases where an individual in receipt of a disability pension dies at home, and it cannot, from a strictly medical point of view, be definitely established that the death was solely due to the disablement in respect of which the disability pension was granted.

- (a) the benefit of doubt in determining attributability, shall go to the family of the deceased, if death occurs within seven years from the date of his invalidment from service, unless there are other factors adversely affecting the claim; and
- (b) if death takes place more than seven years after the date of the man's invalidment from service, the benefit of doubt go to the State.

In cases where an individual out-lives a normal span of life, that is there death takes place at the age of sixty years or above, the death shall be held to be due to normal causes and not to railway service.

Note :—Death of a disability pensioner, whose disablement has been accepted on the basis of aggravation, may also be accepted as due to railway service under rule 4(1)(b) if the last assessment of disablement was fifty per cent or above. If the last accepted assessment of disablement was less than fifty per cent, death shall not be regarded as due to service.

The above procedure shall apply when death is established due to the disability in respect of which disability pension was granted. If this is not the case, the identification of the cause of death with the invaliding disability shall first be determined in accordance with the provisions of the Guidelines. If the identity can be conceded thereunder, the procedure in the preceding sub-paragraph shall be followed for determining the further point whether entitlement to extraordinary family pension can be conceded in a case where an invaliding disability was aggravated by service.

3. (a) (i) Injuries sustained when the man is 'on duty' shall be deemed to have arisen in, or resulted from, railway service; but in cases of injuries due to serious negligence or misconduct, the question of reducing the disability pension shall be considered.

(ii) In cases of self-inflicted injuries while on duty, attributability shall not be conceded unless it is established that service factors were responsible for such action; in cases where attributability is conceded, the question of grant of disability pension at full or at a reduced rate shall be considered.

(b) A person subject to the disciplinary code of the Central Armed Police Battalions, is 'on duty' :

- (i) When performing an official task or a task failure to do which would constitute an offence, triable under the disciplinary code, applicable to him.
- (ii) When moving from one place of duty to another place of duty irrespective of the method of movement.
- (iii) During the period of participation in recreation, organized or permitted by service authorities, and during the period of travelling in a body or singly under organized arrangements.
- (iv) When proceeding from his duty station to his leave station or returning to duty from his leave station at railway expenses, that is, on railway pass/Privilege Ticket Order by Rail transport or when road mileage is paid for the journey.
- (v) When journeying by a reasonable route from one's quarter to and back from the appointed place of duty under organised arrangements or by private conveyance when a person is entitled to use of service transport but that transport is not available.

(c) in accident which occurs when a man is not strictly 'on duty' as defined above may also be attributable to service, provided that it involved risk which was definitely enhanced in kind or degree by the nature, conditions, obligations or incidents of his service and that the same was not a risk common to human existence in modern conditions in India. Thus, for example, where a person is killed or injured by some one by reason of his belonging to an Armed Police Battalion (and in the course of his duty in such Service, he had incurred wrath of such person) he shall be deemed to be 'on duty' at the relevant time.

This benefit shall be given more liberally to the claimant in cases occurring on 'active service' as defined in the relevant acts/rules (such as those applicable to Border Security Force & Central Reserve Police Force etc., personnel).

Note 1. (a) Personnel of Railway Protection Special Force participating in (i) local, national or international sports tournaments as member of Railway teams, or (ii) mountaineering, or...gliding expeditions organised by the Railway authorities, with the approval of Ministry of Railways shall be deemed to be 'on duty' for purpose of the entitlement rules for disability and family pension.

(b) The above personnel participating in the above-mentioned sports tournaments or in privately organised mountaineering Expeditions, or indulging in gliding as a hobby, in their individual capacity, shall not be deemed to be 'on duty' for purposes of those rules, even though prior permission of the competent railway authorities may have been obtained by them.

(c) Injuries sustained by the above personnel in importu games and sports outside parade hours, which are organised by, or with the approval of, the local railway authority, and deaths arising from such injuries, will be regarded as having occurred while 'on duty' for purposes of these rules.

Note 2. The above personnel deputed for Training Courses conducted by the Himalayan Mountaineering Institute, Darjeeling or other similar recognised institutes, shall be treated on par with personnel attending other authorised professional courses or exercises for the railway for the purpose of the grant of disability or family pensions on account of disability or death sustained during the Courses.

4. In respect of diseases, the following rules shall be observed :—

(a) Cases, in which it is established that conditions of Railway Service did not determine or contribute to the onset of the disease but influenced the subsequent course of the disease, shall fall for acceptance on the basis of aggravation.

(b) A disease which has led to an individual's discharge or death shall ordinarily be deemed to have arisen in service if no note of it was made at the time of the individual's acceptance for railway service. However, if medical opinion holds, for reasons to be stated, that the disease could not have been determined on medical examination prior to acceptance for service, the disease shall not be deemed to have arisen during service.

(c) If a disease is accepted as having arisen in service it must also be established that the conditions of railway service determined or contributed to the onset of the disease and that conditions were due to the circumstances on duty in railway service.

(d) In considering whether a particular disease is due to railway service, it is necessary to

relate the established facts in the aetiology of the disease and of its normal development, to the effect that conditions of service, e.g., exposure, stress climate, etc., may have had on its manifestation. Regard must also be had to the time factor (also see Schedule III).

(i) Common diseases known to be affected by exposure to weather.—Diseases such as Bronchitis, Rheumatism and Nephritis—indeed most diseases of the respiratory system, joints and kidneys—are affected by climatic conditions. The period and the conditions of service at any particular place should be taken into account in determining causal connection with service.

(ii) Common diseases known to be affected by stress and strain.—This should be decided with due reference to the nature of the duties which the individual has had to perform in Railway service. It may be that in some cases the individual had been engaged on sedentary duties when they shall normally not qualify.

(iii) Diseases endemic to certain areas.—Diseases such as Malaria, Kalazar, Filariasis, Dysentery, Cholera, etc., are endemic in certain areas. These diseases may also be introduced by movements of infected persons.

In determining causal connection with service, it shall have to be established that the conditions of railway service exposed the individual to the infection as a result of which he contracted the disease. Where there is medical evidence of the contraction of the diseases either prior to entry into service, or while off duty or on leave or desertion or unauthorised absence, etc., attributability shall not be accepted, unless the disease occur within the incubation period.

(iv) Diseases due to infections in service.—Entitlement to pension shall be admitted if the exposure to infection arose from the circumstances of the member's railway service.

(v) Diseases known to be effected by dietary compulsions.—The compulsions of service would also cover such cases as gastric disorders, e.g., gastritis, gastric and duodenal ulcers, where it is established that the member was unable to follow a dietary regime required for his condition. The effect of service in such cases shall be limited essentially to the question of aggravation of a pre-existing constitutional condition. This shall not, normally, apply to individuals in sedentary occupation.

(vi) Diseases which run their course independently of external circumstances. There are certain diseases which would have run the same course whether the

individual had been in Government service or not, e.g., Leukaemia, Hodgkin's disease, etc. (see Part II of Schedule II). Such cases shall not be accepted as aggravated by service unless it is clear that owing to exigencies of service, the man did not receive treatment of a satisfactory character and standard or such treatment was so delayed, as to be less effective than it should have been.

- (vii) Venereal Disease.—(1) Venereal disease shall normally be rejected but a sequela of the disease may sometimes be accepted as aggravated by service. In the case of such disease contracted during service, grounds for acceptance will rarely be found unless the member after treatment had returned to full duty and had been subjected to such strain as would produce one of the after effects of the disease sooner than would have normally been the case. The strain must have been of an exceptional nature.
- (2) In the case of disease contracted before service if the member had reached an age when such manifestation could be accepted, entitlement shall not be conceded. On the other hand, if the later manifestation had been produced or hastened by the strain of service in which case there should be evidence that the strain was of an exceptional nature, entitlement may be considered on the basis of aggravation.
- (3) In the case of disease due to heredity, entitlement must be determined as in para (2) above.
- (4) The above refers only to late manifestations or sequela of venereal diseases as Neuro-Syphilis or Cardio-vascular Syphilis.
- (viii) Invalidation on account of indulgence in drugs or drinks.—Entitlement shall not be conceded if the disability or death on which the claim is based, resulted from indulgence in drugs or drinks which was within one's own control.

5. Unforeseen effects of service medical treatment :—

- (a) Where unforeseen complications arise as a result of treatment (including operative treatment) given for the purpose of rendering a member fit for service duties, any disablement resulting shall normally be accepted as attributable to service.
- (b) Where the treatment is given for other reasons, the position regarding any unforeseen complications differs according as the condition which necessitated treatment was or was not, either attributable to or aggravated by service. If it was so attributable or aggravated any disablement resulting from the treatment shall normally be accepted as attributable to service. If it was not, no

responsibility shall be accepted for the additional disablement unless neglect, delay, faulty technique or lack of reasonable skill can be held responsible for the untoward outcome, or the exigencies of service before, during or after the treatment can be held to have caused or aggravated the condition.

- (c) The above considerations apply whether the treatment is given in a railway hospital or under railway arrangements in any other hospital but will not apply if the treatment is undertaken under private arrangement by an individual.

6. Assessment.—

- (a) The assessment of a disability is the estimate of the degree of disablement it causes, which can properly be ascribed to service as defined below.
- (b) The disablement properly referable to service shall be assessed as under :—

- (i) At the time of discharge from the railway service—

Normally the whole of the disablement then caused by the disability. This rule shall apply irrespective of whether the disability is actually attributable to service, or is merely aggravated thereby. In the latter event, part of the disablement on discharge may have been brought about by the natural progress of the disability during service. But as it is impossible, for so long as the strain and stress of service continues, to apportion quantitatively.

Special consideration should be given to cases in which the disablement has been or may have been worsened by the improper or excessive use of alcohol, tobacco or drugs or by venereal diseases. In such cases, the effects of these shall be excluded in assessing disablement attributable to service.

The effects of service and non-service factors, the entire disablement at the time of discharge shall be taken into account. For example :

- (1) Where a person who had a partially disabled hand, sustains an injury to the same hand which renders it less useful than before, or a person with an impaired foot injures the other as a result of service, thus increasing his defect in locomotion ; or
- (2) Where a person gives history of cough and cold prior to enrolment and is invalided out of service for Chronic Bronchitis held to be aggravated by service, pension shall be admissible for the total disablement.

(ii) On resurvey of disability after discharge from the service.—The whole of the disablement then caused by the disability, less the followings :—

- (1) The part due to non-service factors, such as individual habits, occupation in civil life, accident after discharge, climatic environment after discharge ;
- (2) Any worsening due to the natural progress of the disability since discharge apart from the effects of service.

Deduction (1) shall be made in all cases ; while deduction (2) above shall apply only in cases where the disability is accepted as aggravated by, but not attributable to service.

(c) In cases accepted as aggravated by service, although a percentage of disablement, equal to more than twenty per cent, may be assessed on medical re-survey, after discharge from service, in accordance with para b(ii)(2) above, disability pension shall cease to be payable as soon as the effects of the aggravation by service have passed away, e.g., where a person with disease, e.g. Fibrositis, Bronchitis, Eczema, etc., held to be aggravated by service, is invalidated out and on re-survey was found by the Medical Board to have been restored (a) to his pre-service condition or (b) the condition in which he may have been normally at that time even if he had not joined Government service aggravation by service shall be deemed to have passed away,

(d) Paired organs.—(i) Paired organs, namely eyes, ears, arms and legs shall be considered together, where disablement due to service occurs in one of a pair of organs, assessment on discharge shall be made with reference to the diminution of the functional capacity of the organs working together. Therefore, assessment shall include functional defect of the pair of organs.

(ii) Subject to the exceptions specified below, any subsequent increase in the non-service disablement and non-service disablement arising after discharge whether due to injury or disease shall be excluded from the assessment.

(iii) Cases arise in which at the time of discharge, there is damage by service to one only of the paired organs (namely, eyes, ears, arms including hands) and legs (including feet) and the other is, either normal or impaired in a minor degree. Where the disablement acceptable under clause (ii) above and the disablement of the other limb or organ are together assessable at any subsequent date at 100 per cent the assessment for pension purposes shall be increased by one half of the difference between the current assessment and 100 per cent. For instance, a pensioner receiving an award at

the forty per cent rate for the loss of an eye who later loses the sight of his other eye through a non-service cause, shall have his award increased to seventy per cent rate ; and a pensioner with an award at eighty per cent for a gunshot wound of an arm, who later develops severe arthritis of his other arm, thereby being 100 per cent disabled, shall qualify for a revised award at ninety per cent rate. Where the combined disablement of the pair of organs is less than 100 per cent, but is more than twice as serious as the disablement acceptable under clause (ii) above, the assessment shall be increased to one half of the combined disablement. If, for example, a pensioner with an award at thirty per cent rate for the loss of vision of one eye partially loses the sight of the other eye through a non-service cause, and the defective vision of both eyes together is assessable at eighty per cent his award shall be increased to the forty per cent.

(iv) The provisions of the preceding sub-clause are applicable even where the second of a pair of organs has been disabled by some generalised disability (e.g., rheumatoid arthritis) which would have also disabled the first of the pair if it had not been lost or damaged as the result of service.

(e) Composite assessments.—Where there are two or more disabilities due to service, compensation shall be based on the composite assessment of the degree of disablement. Generally speaking, when separate disabilities have entirely different functional effects, the composite assessment shall be arithmetical sum of their separate assessments. But where the functional effects of the disabilities overlap, the composite assessment will be reduced in proportion to the degree of overlapping.

(f) Nil disablement.—Where, although a definite disability is or has been in evidence the Medical Board consider that any disablement resulting therefrom has ceased or has become so small as not to admit of assessable compensation the assessment shall be expressed as "Nil disablement".

Where the disability due to service has no connection with the pre-existing disability, as for example, a person who had lost finger prior to enlistment, loses a great toe by service, compensation shall be restricted to the loss of the great toe only.

SCHEDULE I

[See rule 3 (3)]

Sl. No.	Description of injury	Percentage of loss of earning capacity
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PART I

List of Injuries deemed to result in Permanent Total Disablement

1.	Loss of both hands or amputation at higher sites	100
2.	Loss of a hand and foot	100
3.	Double amputation through leg or thigh or amputation through leg or thigh on one side and loss of other foot	100
4.	Loss of sight to such an extent as to render the claimant unable to perform any work for which eyesight is essential	100
5.	Very severe facial disfigurement	100
6.	Absolute deafness	100

PART II.

List of Injuries deemed to result in Permanent Partial Disablement

Amputation cases—upper limbs (either arm)

1.	Amputation through shoulder joint	90
2.	Amputation below shoulder with stump less than 8" from tip of acromion	80
3.	Amputation from 8" from tip of acromion to less than 4 1/2" below tip of olecranon	70
4.	Loss of a hand or of the thumb and four fingers of one hand or amputation from 4 1/2" below tip of olecranon	60
5.	Loss of thumb	30
6.	Loss of thumb and its metacarpal bone	40
7.	Loss of four fingers of one hand	50
8.	Loss of three fingers of one hand	30
9.	Loss of two fingers of one hand	20
10.	Loss of terminal phalanx of thumb	20

AMPUTATION CASES—LOWER LIMBS

11.	Amputation of both feet resulting in end-bearing stumps	90
12.	Amputation through both feet proximal to the metatarsophalangeal joint	80
13.	Loss of all toes of both feet through the metatarsophalangeal joint	40
14.	Loss of all toes of both feet proximal to the proximal interphalangeal joint	30
15.	Loss of all toes of both feet distal to the proximal interphalangeal joint	20
16.	Amputation at hip joint	90
17.	Amputation below hip with stump not exceeding 5" in length measured from tip of great trochanter	80
18.	Amputation below hip with stump exceeding 5" in length measured from tip of great trochanter but not beyond middle thigh	70
19.	Amputation below middle thigh to 3 1/2" below knee	60
20.	Amputation below knee with stump exceeding 3" but not exceeding	50
21.	Amputation below knee with stump exceeding 5"	40
22.	Amputation of one foot resulting in end-bearing	30
23.	Amputation through one foot proximal to the metatarsophalangeal joint	30
24.	Loss of all toes of one foot through the metatarsophalangeal joint	20

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Sl. No.	Description of Injury	Percentage of loss of earning capacity
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OTHER INJURIES

25.	Loss of one eye, without complications, the other being normal.	40
26.	Loss of vision of one eye, without complications or disfigurement of eye ball, the other being normal	20
	Loss of—	

A—FINGERS OF RIGHT OR LEFT HAND
INDEX FINGER

27.	Whole	14
28.	Two phalanges	11
29.	One phalanx	9
30.	Guillotine amputation of tip without loss of bone	5

MIDDLE FINGER

31.	Whole	12
32.	Two phalanges	9
33.	One phalanx	7
34.	Guillotine amputation of tip without loss of bone	4

RING OR LITTLE FINGER

35.	Whole	7
36.	Two phalanges	6
37.	One phalanx	5
38.	Guillotine amputation of tip without loss of bone	2

GREAT TOE

39.	Through metatarso-phalangeal Joint	14
40.	Part, with some loss of bone	3

ANY OTHER TOE

41.	Through metatarso-phalangeal Joint	3
42.	Part, with some loss of bone	1

TWO TOES OF ONE FOOT EXCLUDING GREAT TOE

43.	Through metatarso-phalangeal joint	5
44.	Part, with some loss of bone	2

THREE TOES OF ONE FOOT, EXCLUDING GREAT TOE

45.	Through metatarso-phalangeal joint	6
46.	Part, with some loss of bone	3

FOUR TOES OF ONE FOOT, EXCLUDING GREAT TOE

47.	Through metatarso-phalangeal joint	9
48.	Part, with some loss of bone	3

Note: Complete and permanent loss of the use of any limb or member referred to in this Schedule shall be deemed to be the equivalent of the loss of that limb or member.

SCHEDULE II

[See rule 3(4)]

1. List and classification of diseases which can be contracted by service.

A. Diseases affected by climatic conditions.

- (i) Pulmonary Tuberculosis
- (ii) Pulmonary Oedema.
- (iii) Pulmonary Tuberculosis with pleural effusion.
- (iv) Tuberculosis—Non-pulmonary.
- (v) Bronchitis.
- (vi) Pleurisy, empyema, lung abscess and bronchiscetasis.
- (vii) Labar pneumonia.
- (viii) Nephritis (acute and chronic)
- (ix) Otitis Media.
- (x) Rheumatism—acute.
- (xi) Rheumatism—chronic.
- (xii) Arthritis.
- (xiii) Myalgia.
- (xiv) Lumbago.
- (xv) Frost-bite leading to amputation of limb/limbs.
- (xvi) Heat Stroke.

B. Diseases affected by stress and strain.

- (i) Psychosis and Psychoneurosis.
- (ii) Hyperpiesia.
- (iii) Hypertension (B.P.).
- (iv) Pulmonary Tuberculosis.
- (v) Pulmonary Tuberculosis with pleural effusion.
- (vi) Tuberculosis—Non-pulmonary.
- (vii) Mitral Stenosis.
- (viii) Pericarditis and adherent pericardium.
- (ix) Endo-carditis.
- (x) Sub-acute bacterial endo-carditis, including infective endocarditis.
- (xi) Nyocarditis—acute or chronic.
- (xii) Valvular disease.

C. Diseases affected by dietary compulsions.

- (i) Infective hepatitis (Jaundice).
- (ii) Diseases of stomach and deodenum.
- (iii) Worm infestation particularly Guinea Worm and round worm infections.
- (iv) Gastritis.
- (v) Food poisoning, specially due to tinned food.
- (vi) Gastric ulcer.

(vii) Duodenel ulcer.

(viii) Nutritional Disorders.

D. Diseases affected by training, marching, etc.

- (i) Tetanus, erysipelas, septiceamia and pyaemia, etc., resulting from injuries.
- (ii) Varipose.
- (iii) Ankylosis and acquired deformities resulting from injuries.
- (iv) Hernia.
- (v) Post-tranmatic epilepsy and other mental changes resulting from skull injury.
- (vi) Internal derangement of knee Joint.
- (vii) Burns sustained through petrol, fire, kerosene oil, etc., leading to scars and various deformities and disabilities.
- (viii) Deformities of feet.

E. Environmental Diseases.

- (i) Diseases contracted in the course of official duty of attending to a venereal or septicaemic patient or conducting a post-mortem examination.
- (ii) Diseases contracted on account of handling poisonous chemicals and radiation equipment.

II. Diseases not normally affected by service.

- (i) Malignant disease : Cancer and Carcinoma.
- (ii) Sarcoma (except in cases of sarcoma, bone with a history of injury, due to service, on the site of the development of the growth).
- (iii) Epithelioma.
- (iv) Rodent ulcer.
- (v) Lymphosarcoma.
- (vi) Lymphadenoma (Hadghin's disease).
- (vii) Leukaemia.
- (viii) Pernicious anaemia (Addison's anaemia).
- (ix) Ostoitis deformana (Paget's disease).
- (x) Geut.
- (xi) Acromegaly.
- (xii) Corrhosis of the liver—if alcoholic.

EYES

- (xiii) Errors of refraction.
- (xiv) Hypermetropia.
- (xv) Myopia.
- (xvi) Astigmatism.
- (xvii) Presbyopia Glaucoma—acute or chronic, unless there is a history of injury due to service or of disease of the eye due to service.

SCHEDULE--III

[See rule 10(2)]

DISABILITY PENSION

The revised rates of disability pension introduced with effect from 1st day of January, 1986 are as follows--

Disability Pension for 100 percent disability shall be allowed at the following rates --

Basic Pay per month	Rate of disability per month for 100 per cent disability
1	2
(i) Not exceeding Rs 1500/-	Thirty Per cent of basic pay subject to a minimum of Rs 375/-
(ii) Exceeding Rs 1500/- but not exceeding Rs 3000/-	Twenty per cent of basic pay subject to a minimum of Rs. 450/-
(iii) Exceeding Rs 3000/-	Fifteen per cent of basic pay subject to a minimum of Rs. 600/- and a maximum of Rs 1250/-

For lower percentage of disability the monthly disability pension shall be proportionately lower as at present provided that where permanent disability is not less than sixty per cent, the total pension (i.e; pension or service gratuity admissible under the Railway Services (Pension) Rules, 1993 plus disability pension under the Railway Services (Extra-Ordinary Pension) Rules, 1993 shall not be less than sixty per cent, of basic pay subject to a minimum of Rs. 750/- and a maximum of Rs. 2500/-

SCHEDULE-IV

(See rule 11)

EXTRAORDINARY FAMILY PENSION

Only one consolidated extra ordinary family pension shall be payable to the senior most beneficiary at a time on the same lines as is applicable for payment of family pension under the Railway Services (Pension) Rules, 1993.

The consolidated family pension shall be allowed at the following rates irrespective of whether the deceased Railway servant had completed seven years of service or not --

	Basic pay of Railway Servant on the date of death	Monthly Extraordinary Family Pension
	1	2
(A) WHERE THE DECEASED RAILWAY SERVANT WAS NOT HOLDING A PENSIONABLE POST		
(i) If the widow is Childless	(i) Not exceeding Rs 1500/-	Thirty per cent of basic pay subject to a minimum of Rs 375/-
	(ii) Exceeding Rs 1500/- but not exceeding Rs. 3000/-	Twenty per cent of basic pay subject to a minimum of Rs. 450/-
	(iii) Exceeding Rs. 3000/-	Fifteen per cent of basic pay subject to a minimum of Rs. 600/- and a maximum of Rs. 1250/-
(ii) If the widow has child/ children	In all cases	Forty per cent of pay subject to a minimum of Rs. 500/- and a maximum of Rs. 1500/-
(B) WHERE THE DECEASED RAILWAY SERVANT WAS HOLDING A PENSIONABLE POST		
(i) If the widow is childless	(i) Not exceeding Rs. 1500/-	Fifty per cent of basic pay
	(ii) Exceeding Rs. 1500/- but not exceeding Rs. 3000/-	Forty per cent of basic pay subject to a minimum of Rs. 750/-

(iii) Exceeding Rs 3000/-	Thirty percent of basic pay subject to a minimum of Rs 1200/- and a maximum of Rs 2500/-.
(ii) If the widow has child / children In all cases	Sixty percent of basic pay subject to a minimum of Rs. 750/- and maximum of Rs. 2500/-.

Family Pension at the rate indicated at (A) (i) and (B) (i) above shall be paid to the widow upto the date of death or re-marriage, whichever is earlier. Family Pension at the rates indicated at (A) (ii) and (B) (ii) above shall be paid to the widow till the child or children attain the age provided under the Railway Services, (Pension) Rules, 1993 and thereafter the widow shall be paid family pension at the rates indicated at (A) (i) and (B) (i) above.

In cases where the widow dies or re-marries, the children shall be paid family pension at the rate indicated at (A) (i) or (B) (i) above, as the case may be, and the same shall apply to fatherless/motherless children. In both cases pension shall be paid to the children for the period during which they would have been eligible for 'Family Pension' Railway Services (Pension) Rules, 1993.

The dependent Parents, brothers, sisters etc. shall be paid family pension at one half of rates applicable to fatherless/motherless children subject to conditions laid down in rule 11 of the Railway Services (Extraordinary Pension) Rules, 1993.

Railway Services (Extraordinary Pension) Rules

SCHEDULE V

[See rule 15(2) (i) (ii)]

(Forms 'A', 'B', 'C', 'D', 'E')

FORM A

(Form of application for Disability Pension)

1. Name of the applicant and full Office address
2. Father's name
3. Full Residential address (showing village, post office, district, state)
4. Present or last employment, including full particulars and address of the Establishment
5. Date of entry into service :
6. Full particulars of service and length of service, including interruption (both qualifying and non-qualifying)
7. Percentage of Disability sustained due to Injury/ Disease (as certified by the Medical Authorities) and circumstances which resulted in that disability-
8. Pay at the time of injury sustained, disease contracted (as certified by the Medical Authorities) :
9. Pension claimed
10. Date of injury/disease (as certified by the Medical Authorities) :
11. Place of payment
12. Other relevant information, if any :
13. Date of applicant's birth by Christian era :
14. Height

15. Identification Marks :

16. Thumb and finger impressions :

Thumb..... Fore-Finger
 Middle-Finger Ring-finger
 Little-finger

Place :

Date :

Signature of the applicant

Date on which the applicant applied
for pension :

Signature of the Head of Office.

Note :—Thumb and finger impressions and particulars of height and personal marks are not required to be given by such ladies, gazetted officers, Railway title-holders and other persons, as per specifically exempted, by the Ministry of Railways by special orders in that behalf.

*If not known exactly, please state on the best information or estimate and according to the best of your knowledge and belief.

FORM B

(Form of Application for Family Pension)

Application for Extraordinary Pension for the Family of late Shri/Shrimati.....
 killed, or died of Injury/Disease claimed as being attributable to Railway Injuries/Diseases service.

I. Information regarding the claimant

1. Full name and address,
residence (showing village, Post Office, District, State) :
2. Age and date of birth :
3. Height :
4. Identification Marks :
5. Present occupation and
pecuniary circumstances :
6. Degree and nature of
relationship with the
deceased
7. Full name, Father's name,
residence (indicating village,
Post Office, District, (State)

II. Information regarding the deceased

8. Particulars of post and
service with full name and
address of the Establishment :
9. Full particulars of service,
Length of service etc. :
10. Pay at the time of death :
11. Date of birth :
12. Age at the time of death :
13. Nature of Injury/Disease
Injuries/Diseases
causing death (as per the
certificate of the Medical
Authorities) and the
circumstances in which the
same resulted.

III. Other information.

14. Amount of pension, etc.
claimed
15. Place of payment
16. Date from which benefit(s) claimed
17. Other relevant information.
if any

IV. Names and ages of surviving kindred
of the deceased

Relation	Name	Date of birth by Christian Era
Sons :		
Widows :		
Daughters :		
Father :		
Mother :		

(Place)

Signature of the claimant.

(Date)

Note 1— Please strike out the word or words not applicable.

Note 2 —If the deceased has left no son, widow, daughter, father or mother surviving him, the word "none" or "dead" should be entered opposite to such relative.

Place:

Date.....

Seal :

Signature of Head of Office.

FORM 'C'

(Form to be used by the Medical Board when reporting on injuries/Diseases/Death).

Rule 15(2) (iii)

INSTRUCTIONS TO BE OBSERVED BY THE MEDICAL BOARD WHILE PREPARING THE REPORT

(1) The Medical Board before recording their opinion should invariably consult the proceedings of the previous Medical Board, if any, as also all previous Medical/Hospital documents connected with the Railway servant brought before them for examination, or who has died.

(2) If the injuries/Diseases be more than one, they should be numbered separately, giving percentage of disability for each, with full details.

(3) In answering the questions in the prescribed Form, the Medical Board will confine itself exclusively to the medical aspect of the case, and will carefully discriminate between the railway servant's/claimant's unsupported statement(s) and the documentary evidence available.

(4) The Medical Board will not express any opinion, either to the Railway servant examined (or any of his relatives or friends, etc.) or in their Report, as to whether he or his family is entitled to compensation or as to the amount of it, nor will it inform the railway servant or any other person connected with the Railway servant of anything about the nature of the Medical Report given by it.

(5) The Medical Board shall give their Report herein below in the light of the provisions of Railway Board's letter number PCIII/78/EOP/3/Main dated 22-6-79 particularly Schedules I to IV and the Appendix annexed thereto.

(6) The Report of the Medical Board, on each occasion, shall be supported by all the necessary and full medical and Hospital documents which shall be maintained and preserved for reference from time to time, as may be necessary, until the same would no longer be required for reference.

Proceedings of the Medical Board

CONFIDENTIAL

Proceedings of the Medical Board assembled by the order of.....for the purpose of examining and reporting on:

- (i) the present state of the Injury/Injuries/Disease/Diseases sustained/contracted by, or
- (ii) death of, Shri/Shrimati.....on the.....
(please give date, month & year)

(a) State briefly the circumstances under which the Injury/Injuries/Disease/Diseases was/were sustained contract or death onward and the date thereof:

(b) What is the railway servant's present condition?

(c) Is the Railway servant's—

(i) present condition, or

(ii) death

wholly due to injury/injuries/disease/diseases and reasons as claimed ?

If so, please explain fully how ?

If not, please state to what other causes the same is/are attributable.

(d) Form which date it appears that the Railway servant has been was incapacitated on that account;

(e) Which is the date of injury/disease/death:

The opinion of the Board upon the question below is as follows :—

PART A — FIRST EXAMINATION

1. The percentage of disability due to injury/injuries/Disease/Diseases in..... %

Please give hereinbelow full details/justification about the nature of the Injury/Injuries/Disease/Diseases and for percentage of disability certified, supported by full/ all medical and Hospital documents with reference to Schedule I and II to the Railway Services (Extra-ordinary Pension) Rules, 1993

2. For what period from the date of Injury/Injuries /Disease /Diseases

(a) has the railway servant been unfit for duty From To

(b) the railway servant is likely to remain unfit for duty From To

3. Other relevant information, if any ?

Place: Signature of the Presiding Officer of the Medical Board.

Date: Signature of the Member of the Medical Board.

PART B — SECOND OR SUBSEQUENT EXAMINATIONS

1. If the original degree of disability of the Railway servant has changed, what is the percentage of disability now?

[Please give here details of justification in support of your view alongwith all further medical and hospital documents in full).

3. For what period from the date of Injury/Injuries/Disease/Diseases—

(a) has the railway servant been unfit for duty?

(b) the railway servant is likely to remain unfit for duty?

Place: Signature of the Presiding Medical Officer of the Medical Board.

Date: Signature of the Member of the Board.

Signature of the Member of the Board.

Note:—Please score out the word/words not applicable.

FORM 'D'

(Please see also Forms 'C' and 'E')

REPORT ON ACCIDENTAL AND SELF-INFLICTED INJURIES

1. Declaration by the injured person.

1.....hereby declare that the injury

(Number, rank, name and unit)

did"

sustained by me on.....

occur while I was in the performance of

did not*

railway duty.

.....
(Medical Officer before whom the declaration is made).....
(Injured person)

Station.....Date.....

Station.....Date.....

2. Nature, location and severity of injury

NOTE.—Hospital to be notified at once if wound is believed to be self-inflicted.

.....
(Medical Officer)

3. Short statement of the circumstances of the case.

(Signed statements of witnesses giving a detailed account of the circumstances of the accident must be attached to this Form. Place or sketch of place of accident and how it occurred in cases of lorry, motor car or cycle accidents.)

4. Opinion of the Commandant/Head of Office

(a) (i) Was the individual in the course of performance of an official task or a task the failure to do which would constitute an offence triable under the disciplinary code applicable to him? (Indicate the nature of the task, by whom it was ordered and when).

(ii) Did the accident occur during the journey or transport by a reasonable route under organised arrangements from the individual's quarter to or back from an appointed place of duty? Cite and attach copies of standing instructions or other orders in support, if the journey or transport was officially organised, also a sketch showing the reasonable route from the individual's quarter to the place or duty.

or

(iii) Was the individual participating in recreation organised or permitted by service authorities. Indicate the nature of the recreation, e. g., P. T. Exercises including games. In case of games and sports out of parade hours, cite and attach copy of official orders to indicate that it was organised or permitted by competent authority

or

(iv) Was the individual travelling either in a body or singly under organised arrangements? (Cite and attach copy of official orders to indicate that the arrangements were organised by competent authority)

(v) Was the individual proceeding to his leave station on returning to duty from his leave station? In either case, was the journey at public expense or was performed on concession voucher or at individual's own expense? [Give—]

(1) the dates of commencement and termination of the period of leave;

(2) the name of the leave station; and

(3) particulars of the direct route from the place of duty to or from the leave station.

(b) Was the accident due wholly/partially to:

(i) serious negligence

and/or

(ii) misconduct of the individual? (Indicate the nature of the serious negligence or misconduct and the grounds on which the opinion is based).

(c) Was any one else to blame for the accident? (If so, indicate how and to what extent).

- (d) Was the individual under the influence of intoxicating drink or drug at the material time?
- (e) Has any Court of Enquiry been held or will be held? [If so, indicate the date and the place of the enquiry), and attach the Enquiry Report (in original)]@

Station.....

.....
Officer Commanding

Date.....

.....
Head Office

5. The injury/disability/death occurred in peace/field/operational Area and/is not attributable to railway service.

.....
†Head of State
Frontier D.G.

Date.....

Station.....

.....
Head of Office.....
Head of Department

@In all cases of death, Court of Enquiry must be held; so also in respect of disability exceeding 20%.

†To be completed and signed by OC unit if injury is not severe and no Court of Inquiry is held.

FOR USE ON FIELD SERVICE ONLY (Items 6-8)

(To be completed in all field service cases where injuries are/or, are suspected to be self-inflicted)

6. (a) Opinion of the Unit Commander

- (b) Disciplinary action taken, or proposed, whether against injured individual or another.

.....
Commandant of Unit

To

Dy. I.G.

State

7. Forwarded with reference to my casualty signal No.....

Date.....

.....
Commanding D.I.G.
State

To

I.G.

Frontier,

DECISION OF I.G.

8. The casualty should be reported as.....

Date.....

.....
General Officer Commandant
I.G. Frontier.

To

D.G.,.....

Note.—If the I.G. decides that the casualty to be reported as self-inflicted, he should indicate how far he concurs with the opinions expressed above.

FORM 'E'

[See also forms 'C' and 'D']

FORM FOR REPORT ON CASES (OTHER THAN THOSE DUE TO INJURIES) WHICH HAVE ENDED
FATALLY OR ARE PROPOSED FOR INVALIDING

PART 'A'

(To be filled by the M.O.)

Station
 Date
 Name.....Service No.....Designation.....
 Unit.....Service.....Force.....Other full service
 particulars and office address, etc.....
 Disability.....
 Outcome of the case, i.e., died or to be invalided.....

Medical Officer

PART B

(To be answered by the Officer Commanding Unit)

Circumstances of the case

1. Was the individual in your opinion of average physique and stamina when he joined the unit ?
2. (a) Was the individual, as far as you are aware, in his normal health prior to the onset of the illness ?
 (b) If you are aware of any previous illness from which he suffered (which is not recorded in his medical history), state its nature and duration
3. Was the individual employed on sedentary duties/sheltered occupation ? If so—
 (a) had he to do P.T. and/or Parades ?
 (b) was he doing it regularly prior to falling ill or had been exempted therefrom on account of ill-health ?
 If so, from which date ?
4. (a) (i) Mention any circumstances of exposure giving details thereof, and/or
 (ii) State periods and conditions of service, at any particular place, which you consider caused or aggravated the illness.
 (b) (i) Give the nature of duties he had to perform in Government service
 (ii) Was he subject to stress and strain by such duties ? If so, was it of an exceptional nature ?
 Give details
 (c) Diseases endemic to certain areas or disease due to infection :

- (i) If disability or death was due to infection, is there any evidence that the exposure was due to negligence or misconduct on his part ?
- (ii) Did he live in unit lines or was he permitted to live outside with his family ?
- (iii) How many out passes was he granted during the previous month and what was the date of the last out pass ;
- (iv) Was the disease endemic to the area he was serving in and during this period or immediately preceding it were there other cases of the same disease in the unit ? If so, give the number of such cases, details of movements of infected persons and state any other circumstances which might have been responsible for the disease.
- (v) Give the date of last leave and places where the leave was spent. Did illness start during leave ? If shortly after return from leave, state date on which the illness commenced.
- (d) Venereal Diseases (Further information on the points mentioned below)---
- (i) When was it contracted ?
- (ii) Period of treatment.
- (iii) Whether after treatment the man returned to full duty ?
- (iv) Whether after return to duty post hospital surveillance and treatment was continued according to existing regulations ?
- (v) After return to duty, was the man subjected to any stress of an exceptional nature ? If so, mention the nature of exceptional stress.
5. Do you consider that the death or disability was attributable to or aggravated by service ?

Date.....

.....
Officer Commanding

.....
Head of the Office

.....
Head of the Department

PART C

(To be completed by Medical Officer concerned in all death cases)

- (i) How many cases of this disease were treated during six months prior to admission of this individual ?
- (ii) How many cases of this disease were received from this unit ? Give details of such patients in chronological order ?

-
- (iii) Was the infection endemic or was there any outbreak of it in the local garrison ?
- (iv) Was there an outbreak of the disease in the neighbouring city or village ?
- (v) What is your view of the source of infection ? In all cases state whether you consider the death was attributable to or aggravated by service and give the reasons on which you base your opinion

.....
Commanding Officer,
Hospital

1. Chief Medical Officer, Presiding Officer of the Medical Board.
2. Medical Officer, Member of the Medical Board.
3. Medical Officer, Member of the Medical Board.

[No. 93/CR/Pension Rules]
MASILUZZAMAN,
Secretary, Railway Board.